

IN THE HIGH COURT OF JUDICATURE AT PATNA
SECOND APPEAL No.322 of 2008

KAPILDEO TIWARI and ORS	Versus	 Appellant/s
SUNDAR RAUT and ORS		 Respondent/s

Appearance :

For the Appellant/s	:	Mr.S.M.Shabbir Alam
For the Respondent/s	:	Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

11 08-08-2019 This appeal has already been dismissed against the proposed legal heirs of deceased respondent no.1 on account of non-compliance of order dated 29.09.2015.

The plaintiffs are the appellants. The plaintiffs filed title suit for declaration of sale deed dated 14.03.1966 as forged, fabricated, inoperative and for restraining the defendants from interfering into peaceful possession of the plaintiffs-appellants. The title suit was dismissed. The title appeal preferred by the plaintiffs-appellants was also dismissed. The judgment is inseparable.

In this view of the fact, if the appeal is dismissed against proposed legal heirs of deceased respondent no.1, the appeal as a whole has to be dismissed. Accordingly, second appeal is dismissed as a whole.

(Prabhat Kumar Jha, J)

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