

IN THE HIGH COURT OF JUDICATURE AT PATNA
SECOND APPEAL No.114 of 1989

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DINDAYAL MAHTO

... .. Appellant/s

Versus

NARAYAN MAHTO and ORS

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Gopaljee, Advocate
For the Respondent/s : Mr. Kumar Bahadur, Advocate

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

31 25-11-2022 The matter has been taken-up through video conferencing.

Vide order dated 22.01.2020, four weeks' time was granted to learned counsel for the appellant to take steps for fresh service of appeal notice and it was further directed that failing which this appeal, as against her, shall stand rejected without further reference to a Bench.

In view of the office note dated 17.11.2021, it shows that the appeal is dismissed against respondent no. 7 and placed for consideration as to whether, this appeal will proceed further in absence of respondent no. 7.

This second appeal arises out a partition suit. Hence, the whole appeal is incompetent in the absence of one co-sharer.

The whole appeal is dismissed for non-compliance of



the order dated 22.01.2020.

(Khatim Reza, J)

Gaurav Kumar/-

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