

IN THE HIGH COURT OF ORISSA AT CUTTACK
RSA No.295 of 2002

Babaji Charan Sahoo ***Appellant***

-versus-

Krushna Charan Sahoo & Others ***Respondents***

CORAM:
MR. JUSTICE D.DASH

ORDER
08.08.2022

Order
No.

06. 1. This matter is taken up through hybrid arrangement (virtual/physical mode).

2. Learned counsel for the Respondent No.6, filing a memo in Court today, which is taken on record, submits that in view of the death of Respondents 1, 3, 4, 7 and 10 since long and for non-substitution of their legal representatives within the time prescribed, the Appeal has abated.

Learned counsel for the Appellant submits to have no instruction in the matter.

In the above state of affairs, the Appeal stands dismissed as against Respondents 1, 3, 4, 7 and 10.

Keeping in view the nature of the suit and the decree under challenge, which is joint and indivisible; this Court is of the view that the Appeal cannot proceed further as against remaining Respondents.

The Appeal thus abates as a whole and is accordingly dismissed.

(D.Dash)
Judge