

IN THE HIGH COURT OF JUDICATURE AT PATNA
FIRST APPEAL No.734 of 1976

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2. Jagdish Singh, Son of Ram Briksh Singh, Resident of village Anatpur, P.S. Ghosi, District - Gaya.
 3. Rajendra Singh, Son of Ram Briksh Singh, Resident of village Anatpur, P.S. Ghosi, District - Gaya.
 4. Jogendra Singh, Son of Ram Briksh Singh, Resident of village Anatpur, P.S. Ghosi, District - Gaya.

... .. Appellant/s

Versus

1. Jagdip Singh Son of Ram Balak Singh Resident of village Anatpur, P.S. Ghosi, District - Gaya.
2. Chandeshwar Singh Son of Ram Balak Singh Resident of village Anatpur, P.S. Ghosi, District - Gaya.
3. Kameshwar Singh Son of Ram Balak Singh Resident of village Anatpur, P.S. Ghosi, District - Gaya.
4. Brich Singh alias Brij Singh, Son of Ram Balak Singh Resident of village Anatpur, P.S. Ghosi, District - Gaya.
5. Baldeo Singh Son of Ram Balak Singh Resident of village Anatpur, P.S. Ghosi, District - Gaya.
6. Shyam Kuar Daughter of Ram Balak Singh deceased, Resident of village Anatpur, P.S. Ghosi, District - Gaya.
7. Smt. Rajeshwari Devi Daughter of Ram Balak Singh deceased, Resident of village Anatpur, P.S. Ghosi, District - Gaya.
8. Smt. Kesho Devi daughter of Ram Balak Singh and widow of Sakaldeo Singh, Resident of village Tarqpur, P.S. Ekangar Sarai, District - Nalanda.
9. Anar Devi daughter of Ram Balak Singh, and Wife of Radheshyam, Resident of Village Bijaypur, P.S. Dharampur Dist. - Patna.
10. Jota Devi daughter of Ram Balak Singh and wife of Ram Ashray, resident of village Bharthu, P.S. Ghosi, District - Gaya.
12. Indu Tiwary W/o Ram Sewak Tiwary vill.- Pirhi, Dist. - Madhubani.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.
For the Respondent/s : Mr.Ravindra Kumar Rai, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

33 12-01-2023 Mr. Ravindra Kumar Rai, learned counsel who is in possession of the brief of the respondents after death of his



father Shiv Nandan Rai, learned senior counsel (since deceased) submits that despite his all efforts, the legal heirs of the respondent nos. 1 to 11 are not turning up either to provide him vakalatnama or to file an application disclosing the name of the heirs as per the order of this Court.

Learned counsel has further informed this Court that even most of the appellants have died and those who may be alive are living outside and their whereabouts are not known.

This Court finds that in the peculiar situation in which the first appeal has remained pending for about 46 years by now but none of the parties are taking interest in pursuing this matter despite several indulgences granted by this Court, there would be no gain in keeping this matter pending.

In such circumstance, this Court deems it just and proper to dismiss the appeal under Order XLI Rule 17 of the Code of Civil Procedure.

(Rajeev Ranjan Prasad, J)

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