

IN THE HIGH COURT OF JUDICATURE AT PATNA
SECOND APPEAL No.295 of 1990

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RAM CHHUPIT GOSWAMI

... .. Appellant/s

Versus

KAPIL DEO PANDEY

... .. Respondent/s

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Appearance :

For the Appellant/s : None

For the Respondent/s : None

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

8 30-04-2024 Upon repeated calls, no one appears either on behalf of the appellants or on behalf of the respondents.

2. It transpires to this Court *vide* orders dated 25.11.2021 & 01.04.2024 that no one appeared in this appeal and on 01.04.2024, two weeks' further time was granted as a matter of last indulgence to the appellant to appear and defend and it was also ordered that if on the next date fixed, no one appears on behalf of the parties then appropriate order shall be passed.

3. Today also, no one appears either on behalf of the appellants or on behalf of the respondents.

4. In this background, this Court has no option left but to pass the order in the light of Order XLI Rule 17 of The Code of Civil Procedure, 1908.

5. As such, this second appeal is dismissed due to



appellants default.

6. Liberty is hereby granted that the appellants or their heirs or legal representatives may file an application for re-admission of appeal which has been dismissed for default under Order XLI Rule 19 of The Code of Civil Procedure, 1908.

7. Office is directed to send back the Lower Court Record.

(Dr. Anshuman, J.)

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