

IN THE HIGH COURT OF JUDICATURE AT PATNA
SECOND APPEAL No.412 of 1987

Sheoji Rai

... .. Appellant/S

Versus

Kanhiaya Rai And Ors

... .. Respondent/s

Appearance :

For the Appellant/s : None.

For the Respondent/s : None.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

16 22-01-2024 No one appears either on behalf of the appellant or
on behalf of the respondents.

2. Vide order No. 15, dated 19.12.2023, it transpires to this Court that as a matter of last indulgence, two weeks further time was granted in this appeal with specific direction that if none appears on behalf of the appellant on the next date fixed, appropriate order shall be passed. It also transpires to this Court that since last four dates, no one appeared on behalf of the appellant and this appeal has been adjourned.

3. In this background, it transpires to this Court that the appellant is not interested to pursue this appeal and therefore, this Court has no option left, but to pass the order in this appeal.

4. As such, this second appeal is dismissed due to appellants default in the light of Order XLI Rule 17 of The Code



of Civil Procedure, 1908.

5. Liberty is hereby granted that the appellant or his 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.

6. Office is directed to return the L.C. record to the court concerned.

(Dr. Anshuman, J.)

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