

IN THE HIGH COURT OF JUDICATURE AT PATNA
SECOND APPEAL No.421 of 1989

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JANAK DULARI DEVI and ORS.

... .. Appellant/s

Versus

AMIR SAH and ORS.

... .. 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

27 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* order no.26 dated
18.03.2024 that since last five dates, no one appeared in this
appeal and on 18.03.2024, two weeks' further time was granted
as a matter of last indulgence to the appellant to appear and
defend.

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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