

IN THE HIGH COURT OF JUDICATURE AT PATNA
SECOND APPEAL No.297 of 1990

Sudha Kant Jha

... .. Appellant/s

Versus

Most.Ahilyabati And Ors.

... .. Respondent/s

Appearance :

For the Appellant/s : None

For the Respondent/s : None

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

12 12-02-2024 Upon repeated call, no one appears either on behalf of the appellants or on behalf of the respondents.

2. It transpires to this Court *vide* order no.11 dated 12.12.2023, that since last seven dates including today, no one appeared on behalf of the appellants and it has also been instructed *vide* order dated 12.12.2023 that if, on the next date, no one appears on behalf of the appellants, then appropriate order shall be passed.

3. In the light of the above facts and circumstances, this Court has no option left but to pass the order in light of Order XLI Rule 17 of The Code of Civil Procedure, 1908.

4. As such, this second appeal is dismissed due to appellants default.

5. Liberty is hereby granted to the appellants or his heirs or legal representatives to 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
Trial Court after 30 days.

(Dr. Anshuman, J.)

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