

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**SECOND APPEAL No.260 of 1992**

=====

DURGA NAND DUBEY

... .. Appellant/s

Versus

RAMASHISH DUBEY

... .. Respondent/s

=====

**Appearance :**

For the Appellant/s : None  
For the Respondent/s : None

=====

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

9      29-01-2024                      Upon repeated call, no one appears either on behalf of  
  
the appellant or on behalf of the respondent.

2. It transpires to this Court that *vide* order no.8 dated  
18.12.2023, this appeal was adjourned as a matter of last  
indulgence for two weeks and it was also instructed that if, no  
one appears on behalf of the appellant on the next date fixed,  
appropriate order shall be passed.

3. Today also, no one appears on behalf of the  
appellant and 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.

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

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 send back the L.C record to the original Court.

**(Dr. Anshuman, J.)**

Divyansh/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

