IN THE HIGH COURT OF ORISSA AT CUTTACK
SA No.102 of 1997

Ladakar Bhoi (dead) & others **.....** ***Appellant***

Represented By Adv. -
M/s. U.K. Samal, Adv.

-versus-

Ganapati Bhoi (dead) **.....** ***Respondent***

Represented By Adv. -
None

CORAM:
MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER
24.10.2025

Order No.

15. 1. This matter is taken up through hybrid mode.

2. The learned counsel for the appellants is present.

3. It appears that, the sole respondent has expired on dated 28.11.2009, but the appellants have not substituted to the LRs of the sole deceased respondent.

As per law, the appeal has already been abated against the sole respondent due to non-substitution of his LRs in due time.

4. When the appeal filed by the appellants against the respondent has already been abated against the respondent for non-substitution of the LRs of the sole deceased respondent in due time, then, as per law, the Judgment and Decree passed by the learned 1st

Appellate Court in T.A. No.04 of 1993 in fvour of the deceased respondent has already been confirmed and the LRs of the deceased respondent are the assignees and beneficiaries of such decree.

So, due to the confirmation of the Judgment and Decree passed in T.A. No.04 of 1993 (which was challenged in this 2nd Appeal) in favour of the LRs of the deceased respondent as per law, this 2nd Appeal filed by the appellants is required to be dismissed.

5. Hence, the 2nd Appeal filed by the appellants is dismissed.

(ANANDA CHANDRA BEHERA)
Judge

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Date: 24-Oct-2025 19:16:30