

IN THE HIGH COURT OF JUDICATURE AT PATNA
SECOND APPEAL No.468 of 1989

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RAMJI PRASAD YADAV and ORS

... .. Appellant/s

Versus

SMT.SHAFALI RANI 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

16 07-04-2026 None appears either on behalf of the appellants or on behalf of the respondents, even after repeated calls.

2. Upon perusal of the record, it transpires to this Court that *vide* order no.13 dated 23.06.2022, *vide* order no.14 dated 18.02.2025 & *vide* order no.15 dated 30.03.2026, none appeared either on behalf of the appellants or on behalf of the respondents. On the previous occasion, this Court has directed that if none appears on behalf of the appellants on the next appointed date, then appropriate order shall be passed in accordance with law. Today also, despite repeated calls, none appears on behalf of the appellants.

3. In this background, this Court has no option but to dismiss the present Second Appeal for appellant's default under Order XLI Rule 17 of The Code of Civil Procedure, 1908 (Act No.5 of 1908). Liberty is hereby granted that the appellants or



their heirs/legal representatives may file an application for re-admission of appeal under Order XLI Rule 19 of The Code of Civil Procedure, 1908 (Act No.5 of 1908) which has been dismissed for default.

4. Office is directed to return the Lower Court Records to the concerned trial court after four weeks for execution, if applicable in the present case.

(Dr. Anshuman, J)

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