

IN THE HIGH COURT OF JUDICATURE AT PATNA
SECOND APPEAL No.51 of 2006

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MOST.TARAMUNI @ MOST.TARAMUN K

... .. Appellant/s

Versus

RAJENDRA OJHA and ORS

... .. Respondent/s

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Appearance :

For the Appellant/s : None

For the Respondent/s : Mr. Ashok Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

23 02-02-2026 None appears on behalf of the appellants, even after repeated calls. However, learned counsel Mr. Ashok Kumar on behalf of the respondents is present.

2. Upon perusal of the record, it transpires to this Court that *vide* order no.22 dated 27.11.2025, none appeared on behalf of the appellants and the matter was adjourned with specific direction that if, none appears on behalf of the appellants on the next appointed date, then appropriate order shall be passed. Today also, despite repeated calls, no one 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.

(Dr. Anshuman, J)

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