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C.A.No. 5035 OF 1998
ITEM NO. 109
COURT No.2

SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL NO.5035/1998

Muneshwari Devi & Ors.

Appellant(s)

Versus

Kashi Nath Mahto(Dead) & Ors.

Respondent(s)

DATE : 11/03/2004 This/These matter/matters was/were
called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAJENDRA BABU

HON'BLE MR. JUSTICE G.P. MATHUR

For Appellant(s)Mr. M.P. Jha, Adv.

Mr. Harshvardhan Jha,Adv.

Mr. Ram Ekbal Roy, Adv.

Mr. R Pattanaik, Adv.

For Respondent(s) Mr. S.B. Sanyal, Sr. Adv.

Mr. Akhilesh Kr. Pandey, Adv.

Mr. Ashok Kr. Pandey, Adv.

UPON hearing counsel the Court made the following

O R D E R

The appeal shall be treated to have terminated with this order.

[Charanjeet Kaur]

Court Master

[Om Prakash]

Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5035 OF 1998

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..
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..
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O R D E R

The entire appeal has abated in view of the fact that Legal representatives of deceased respon

dent No. 1 have not been brought on record. The suit was for redemption of a mortgage and respondent No. 1 is stated to be one of the mortgagees. If that is so, the decree cannot be split up and different decrees can be passed. In that view of the matter, the entire matter abates. This appeal shall be treated to have terminated with this order.

.....J[S. RAJENDRA BABU]

.....J [G.P. MATHUR]

NEW DELHI,
MARCH 11, 2004.