

HIGH COURT OF UTTARANCHAL AT NAINITAL

Second Appeal No. 1393 of 2001  
(Old No.2056/ 1978)

Atma Ram & others

.....Appellants

Versus

Jagannath Handa

..... Respondent

Dated: 31.8.2004

Hon. Rajesh Tandon J.

File has been transferred from Allahabad High Court.

None appears for the parties.

I have perused the entire record.

The suit of the plaintiff was decreed by the trial court and the appellate Court has also confirmed the decree and dismissed the appeal. It appears the at present there remains no cause of action and the appeal has become infructuous.

The appeal is, therefore, dismissed. However, liberty is given to the appellant to move for restoration, if cause of action is still survived.

(Rajesh Tandon J.)

31.8..2004

\*Dhyani