



CPC O. 9 R. 2 - Appeal - Appellants did not deposit the costs imposed by way of an earlier order - Taking a serious view of these lapses, the Appellate Court dismissed the appeal as against respondent Nos.2, 3 and 6, by taking recourse to Order 9 Rule 2 CPC - Application seeking recall of the orders dismissed - Order of the Appellate Court, may prove to be fatal, given the fact that they were amongst the plaintiffs in whose favour the suit was partly decreed - In effect, the entire appeal would stand at risk, even if it is continued as against the other respondents - Further, the explanation set out by the appellants in their application demonstrated that the lapses on their part were not serious enough - Order set aside - Petition allowed.

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