

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Second Appeal No.484 of 2010

Shri Mahling Nagayya Swami
and others

... Appellants

Versus

Shri Balaso Bandu Poyekar
(Swami) and others

... Respondents

None for Appellants.

Shri Manoj A. Patil, Advocate for Respondent No.1.

Coram : R.K. Deshpande, J.

Dated : 10th June, 2015

P.C.:

The plaintiff has filed the present second appeal challenging the decision of the lower Appellate Court reversing the decree for partition and separate possession passed by the Trial Court.

During the pendency of this second appeal, the appellant No.4 has expired and his legal representatives are not brought on record. Similarly, the appeal has already been dismissed against the respondent Nos.3, 4a to 4f and 4h by an order dated 22-8-2011. No steps have been taken till this date in this matter to bring the legal representatives of those respondents on record. In the absence of such legal representatives being brought on record, no relief can be granted to the appellant/original plaintiff.

The second appeal stands dismissed in its entirety as abated.

(R.K.DESHPANDE, J.)

PD Lanjewar