

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

SECOND APPEAL NO.693 OF 1992

Smt.Banubai Jaysingrao Lambhate
(Since deceased through LRs.)

A. Sou Bhagirathibai Vastantrao
Londhe & Anr.

... Appellants

Versus

Krishnarao Babaji Nalavade
(Since deceased through LRs)

a) Smt.Prayagabai Krishanarao
Nalavade & Ors.

... Respondents

.....
Mr.Pradeep Gole i/b. Mr.H.D. Gole, Advocate for the Appellants.
.....

CORAM : RAVI K. DESHPANDE, J.

DATED : JUNE 26, 2015.

P.C.

The defendant no.1 in the Regular Civil Suit No.126 of 1984 for recovery of possession and redemption of mortgage expired during the pendency of this Second Appeal. His LRs were brought on record. The matter is dismissed against respondent no.1(d) and 1(e) as per the order dated 27th October, 2004. The matter is also dismissed against respondent no.1(a) as abated on 13th March, 2014. No steps are taken till this date. The appellants are the original

plaintiffs. The Appeal therefore stands abated in its entirety, as the appellants cannot get any relief in the absence of the respondents against whom the Appeal is already dismissed.

2 The Second Appeal, is therefore dismissed.

(RAVI K. DESHPANDE, J.)