

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

L.P.A. NO.107/2013 IN WRIT PETITION NO.3467/2011 [D]

[Subhash Narayan Pise .vs. Nanuram Mohanlal Verma and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.A. Mohta, Advocate for the appellant,
Shri N.M. Verma – in person for respondent no.1,
Shri N.A. Gawande, Advocate h/f Shri Patil, Advocate for respondent no.2.

CORAM : B.R. GAVAI AND
P.N. DESHMUKH, JJ.

DATED : NOVEMBER 30, 2015.

Heard.

Appellant, who is personally present in the court, has also filed a pursis seeking liberty to withdraw the appeal.

Shri Gawande, learned counsel, states that he has instructions from Shri Patil, learned counsel for respondent no.2, that some persons interested in Vidarbha Kabaddi Association desire to file an intervention application. On the last date also, the matter was adjourned on the request of Shri Thakare and Shri Patil.

The perusal of the cause title would reveal that the appellant has filed an appeal in the individual capacity though he has described as Secretary of Vidarbha Kabaddi Association. It could thus be seen that the appeal is not filed on behalf of the Association, but in the individual capacity. When the appellant does not seek to prosecute

the appeal, he cannot be compelled to continue with the appeal. If in view of the persons interested in the affairs of the said Vidarbha Kabaddi Association desire to take some proceedings, they are always at liberty, if law permits them to do so. However, when the appellant does not desire to prosecute the appeal, he cannot be compelled to continue with the appeal.

Appeal is, therefore, disposed of, as withdrawn.

JUDGE

JUDGE

Gulande