

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) FA NO.35 of 1994

929 FIRST APPEAL NO. 35 OF 1994

UTTAMRAO BAPURAO DESHMUKH.
VERSUS
THE STATE OF MAHARASHTRA THRO.COLLECTOR.

...
AGP for Respondent State: Mr.A.M.Phule
Mr.A.D.Wange, Adv.,f or R/3.

...
CORAM : P.R. BORA, J.
Dated: September 28, 2016

...
PER COURT :-

1. In the present matter, on 14th September, 2016, the following order has been passed:

"1. Though the present matter is fixed for final hearing, it appears that, inadvertently, the endorsement has been made that the matter is unready for want of print. If this be so, the print is dispensed with. The matter is fixed for final hearing. The record shows that the matter was dismissed twice and was restored to original file on an undertaking given by the learned Counsel for the appellant that the matter will be proceeded without fail on the adjourned date, however, the matter has not been proceeded further. It is clarified that if the matter is not worked out on the adjourned date, the same shall stand dismissed in default. S.O. to 28.9.2016. "

2. Today also, when the matter is taken up for hearing, none has appeared for the appellants. In view of the fact that on 14th September, 2016, the matter was

AGP/-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(2)

FA NO.35 of 1994

adjourned by way of last chance, and it was also clarified in the said order that if the matter is not worked out on the adjourned date, the same shall be dismissed in default, the only option before me is to dismiss the matter. First Appeal is accordingly dismissed for want of prosecution.

(P.R. BORA, J.)

...