

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 366 OF 2011

Dattu Bhiva Chougule
(since deceased through his legal heirs and
representatives) & Ors.

..... Appellants

VERSUS

Mahadu Yesu Chougule,
(since deceased through his legal heirs and
representatives) & Ors.

..... Respondents

Ms.Geeta Mulekar for the Appellants.

Mr.Bhushan Walimbe for Respondent nos. 1A, 3, 5F, 7A, 7B, 8, 10A, 11A-3, 11C,
12, 13, 14A, 14D and 15.

CORAM : R.D. DHANUKA, J.

DATE : 5th DECEMBER, 2016

P.C.

A perusal of the record indicates that several respondents have expired and/or not served by the appellants inspite of various opportunities given by the learned Registrar Judicial and by this court. Second appeal is already abated against several respondents in view of the appellants not taking any steps for setting aside the order passed by the learned Registrar Judicial and by bringing the legal heirs of the some of the respondents who have expired. The suit is for partition. At this stage, I am not inclined to grant any further indulgence to the appellants to take out any steps. Second appeal is pending in this court since 2011. Second appeal is accordingly dismissed for want of prosecution. No order as to costs.

(R.D.DHANUKA, J.)