

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

SECOND APPEAL NO. 170 OF 1992

ABDUL KAREEM KALEKHAN PATHAN (DIED)
THROUGH LRS. SALIM KHAN
S/O. KARIM KHAN AND OTHERS
VERSUS
PANDIT S/O CHINDU CHOUDHARI & OTHERS

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None present for Appellants

Mr.V.T.Choudhary, Advocate for respondent nos.1
and 2

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CORAM : SANGITRAO S. PATIL, J.
DATE : JULY 18, 2017

ORAL ORDER :

None appeared for the appellants.
Mr.Choudhary, the learned Counsel for the
respondents submits that the matter has been
amicably settled and the appellants were to
withdraw the appeal.

2. As per the order dated 10.07.2017, the
appeal was adjourned till today, as a last
chance, with the clear warning that in case nobody

appears for the appellants on the next date, the appeal would be dismissed.

3. It seems that because of the amicable settlement, the appellants have lost interest in prosecuting the appeal. Since none appeared for the appellants today also, even after getting an ultimatum as per the order dated 10.07.2017, I have no option but to dismiss the appeal in default.

4. The appeal is accordingly dismissed. No costs.

[SANGITRAO S. PATIL, J.]

kbp