

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

51 SECOND APPEAL NO. 433 OF 2001

KALAWATI KUNDLIK PHAD
VERSUS
KALAWATI JYOTIBA KATKADE AND ORS

Advocate present.

CORAM: VIJAY S.KULKARNI
REGISTRAR (JUDL)

DATED: 12/04/2017

1. Heard learned Advocate for the respondents. The objection notified by the office is that learned Advocate for respondent no.1 Mr. Vivek Bhavthankar has filed pursis alongwith death certificate at Flag "A" stating therein that the appellant sole Kalawati Kundlik Phad has expired on 07/03/2014. This information is given by the learned Advocate under the provisions of Order XXII Rule10-A of CPC. A copy of death certificate filed on record clearly indicates that Kalawati Phad has expired on 07/03/2014. Thereafter, no steps have been taken by the appellant or on behalf of the appellant to bring on record L.Rs., if any, till this date. In view of the above, it is crystal clear that for want of taking steps to bring on record L.Rs. of deceased appellant, the appeal is liable to be abated. Hence order.

ORDER

Appeal stands abated.

REGISTRAR (JUDL)