

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.257 OF 1995

Shri. Raosaheb Babusaheb Bhosale Appellants
& Anr.

Vs.

Shri. Gulab Maruthi Khandekar Respondents
& Ors.

None for the Appellants.
None for the Respondents.

Coram : **N.M. Jamdar, J.**
Date : 20 April 2017

P.C.:

On 2 February 2017, an order was passed adjourning the Second Appeal to 6 March 2017, since the learned counsel for the Appellants had informed that Respondent no.1 expired. The title of the Second Appeal shows that Respondent no.1 is the original plaintiff. Till date, no steps have been taken. The order dated 2 February 2017 itself indicates that on that date, the abatement had taken place. No steps are taken and the heirs of Respondent no.1 have not been brought on record. Therefore, Second Appeal is dismissed as against

Respondent no.1. Respondent no.1 being the original plaintiff the appeal as a whole will not survive. The Second Appeal is accordingly stands dismissed.

(N.M. Jamdar, J)