

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 470 OF 2014
WITH
CIVIL APPLICATION NO. 1771 OF 2015

Yuvraj Nathu Gaikwad and others ... Appellants

Versus

Ashok Nathu Gaikwad and others ... Respondents

None for the Appellants/Applicants.

Mr.Abhijeet Patil i/by Mr. Ajay Patil for the Respondent Nos.1 and 2.

CORAM : S.J. KATHAWALLA, J.
DATED : 8th SEPTEMBER, 2017

P.C.:

1. On 31.08.2017, this Court passed the following order :

“1. Though the above Second Appeal was called out in the morning as well as in the afternoon sessions, none appear for the Appellants. In view thereof, Mr. Ajinkya Jaibhave, Advocate who had appeared for the Appellants on 19th July, 2017 is directed to remain present before this Court on 1st September, 2017 at 11.00 a.m., failing which the Court shall be constrained to dismiss the above Second Appeal for default. Stand over to 1st September, 2017.”

2. Thereafter, again on 01.09.2017, the following order was passed :

“Mr.Ajinkya Jaibhave, Advocate appearing for the Appellants/Applicants states that though the order passed by this Court

dated 19th July, 2017 is forwarded to the Appellants/Applicants, no instructions are received from them. In view thereof, place the above Second Appeal along with the Civil Application on 8th September, 2017 under the caption 'For Dismissal'."

3. Today when the matter is called out, none appear for the Appellants/Applicants. In view thereof, the above Second Appeal is dismissed for want of prosecution. The above Civil Application No.1771 of 2015 also stands dismissed.

(S.J.KATHAWALLA, J.)