

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Civil Application (CAS) No.313 of 2013

In

Second Appeal Stamp No.2152 of 2013

(Tolchand s/o Punamchand Oswal Jain and another v. Smt. Kamladevi
wd/o Uttamchand Jain and others)

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders
and Registrar's order

Coram : R.K. Deshpande, J.

Date : 9th February, 2017

The claim of the plaintiffs over the suit property is based upon the registered Will dated 29-5-1982 at Exhibit 51, executed by father Punamchand. The Courts below are concurrent in holding that the mother of the plaintiffs and defendants has not been examined by the plaintiffs and there is exclusion of other legal heirs.

This matter is pending since 2013. It was listed on the board published on 6th February, 2017. The matter was called out on 6th, 7th and 8th February, 2017. None appeared for the applicants/appellants. Today also, none appears for the appellants. It seems that the appellants are not interested in prosecuting the appeal.

Hence, the civil application for condonation of delay of 150 days is dismissed for want of prosecution.

Judge.

Lanjewar