

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

910 FIRST APPEAL NO. 351 OF 2000

**BABUSAIN S/O.BABU ANNA MANE
VERSUS
THE STATE OF MAHARASHTRA, THR.COLLECTOR, OSMANABAD**

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**Advocate for Appellant : Mr.P.S.Koshti
AGP for Respondent: Mr.S.P.Deshmukh**

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**CORAM : M.S.SONAK, J.
DATE : 8th FEBRUARY, 2018**

PER COURT:-

1) In this case, it is reported that the appellant has expired. Despite several opportunities, no steps are being taken so as to bring on record the legal representatives of the deceased appellant and pursue this matter.

2) Mr.P.S.Koshi learned counsel for the appellant submits that he has no instructions in this matter. He however, submits that it is the appellants in the other

matter, who have told him that the appellant in this case has expired.

3) Taking into consideration the aforesaid circumstances, this appeal is dismissed for non-prosecution.

4) However, this will not preclude the legal representatives of the appellant to take out appropriate application for restoration and for leave to come on record and pursue this appeal.

5) This order is made because despite of several opportunities being granted earlier, no steps are taken in this direction.

[M.S.SONAK, J.]