

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

63 CIVIL REVISION APPLICATION NO. 298 OF 2003

HIRABAI BANSILAL BAGDIYA (DIED) BY LRS & ORS
VERSUS
SHIVPRASAD PERMANAND BIYANI (DIED) LRS & ORS

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Advocate for Applicants : Mr.M.K.Deshpande
Advocate for Respondent Nos.1(a) & (b) : Mr.J.C.Badve
Advocate for Respondent Nos.3 & 4 : Mr.V.J.Dixit

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CORAM : M.S.SONAK, J.
DATE : 15.1.2018

PER COURT:-

1) On 16.12.2015, this Court has made the following order:-

"1) Learned counsel for the applicants submits that both the second appeals mentioned in order dated 23-9-2010 are already disposed of. In view of this statement, learned counsel for the applicant to be ready for final hearing of the matter or to make statement as to whether the petition has become infructuous. List the matter for final hearing on 14th January 2016.

*Sd/-
(T.V. NALAWADE, J.)"*

2) Today, when the matter is called out, neither the applicants nor their Advocates are present. This is possible because the Civil Revision Application has indeed been rendered as infructuous.

3) Since, this Civil Revision Application pertains to the year 2003, it will not be appropriate to simply adjourn the same merely in order to enable the applicants to make a statement whether this Civil Revision Application has become infructuous or not. Accordingly, this Civil Revision Application is dismissed for non-prosecution. Interim order, if any, stands vacated.

[M.S.SONAK, J.]