

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

989 CIVIL APPLICATION NO. 9949 OF 2017
IN SA/97/2014
WITH
CA/13596/2017 IN SA/97/2014

SAHEBRAO RAMRAO SHINDE
VERSUS
RAOSAHEB RAMRAO SHINDE AND OTHERS

...
Advocate for Applicant : Mr Devakate Anant R
Advocate for Respondents : Mr Latange V.P.

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CORAM : V.K. JADHAV, J.
Dated: February 09, 2018

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PER COURT :-

1. The learned counsel for the applicant-original plaintiff submits that the compilation of the documents was ready with the applicant and even the copy of the same was also given to the learned counsel appearing for the respondent at that time. The copies were served on the other side on 2nd September, 2016. However, on 4th October, 2016 when the matter was called out for hearing, the appellant and his counsel remained absent and therefore, appeal stood dismissed for non-prosecution.

2. The learned counsel for the applicant submits that there is sufficient compliance of the directions to furnish compilation of exh.44, 45 and 107 as copies of the said compilation served on the counsel appearing for respondent. The applicant is undertaking to produce said compilation before this Court forthwith.

3. I have also heard learned counsel for respondents.

4. In view of the above submissions made on behalf of the applicant-original plaintiff, the application is allowed in terms of prayer clause-B, C and D.

4. Civil application disposed of accordingly.

5. CA 13596/2017 is adjourned for two weeks.

(V.K. JADHAV, J.)

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