

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

**CIVIL APPLICATION NO.1621/2011
IN
FIRST APPEAL (ST) NO.34831/2010
WITH
C.A.1633/11 IN FAST 34835/10
WITH
C.A.1642/11 IN FAST 34812/2010
WITH
C.A.1645/11 IN FAST 34768/2010**

GMIDC Ltd., through
Executive Engineer, M I W
Minor Irrigation, Latur.
...Applicant..

Versus

Kondabai DhruPATRAO Kasle & others.
...Respondents...

.....
Shri V.U. Pawar, Advocate h/f Shri S.S. Tope, Advocate
for applicant / appellant.
Shri B.V. Virdhe, AGP for respondent no.2.

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CORAM: M.S. SONAK, J.

DATE: 12.02.2018

ORDER :

1] On 1.2.2013, this Court made the following order :-

"The applicants to take step as against unserved respondents and the respondents who are dead within a period of six (6) weeks from today, a failing which the matter would stand dismissed as against

unserved respondents and abated as against the respondents who are dead."

2] Till date, no steps have been taken against respondent no.1, despite grant of ample opportunities.

3] Respondent no.2 is the State of Maharashtra, which is either a formal party or a party supporting the applicants. Since the only contesting party i.e. the respondent no.1 is dead and despite several opportunities, no steps are taken to bring on record the L.Rs. of deceased respondent no.1, the first appeals stand dismissed for non-prosecution. Pending civil applications, if any, do not survive and the same are also disposed of.

(M.S. SONAK, J.)