

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 741 OF 2013

Namdeo Ananda Nagargoje & Ors ...Appellants
Versus
Sadadhiv Dhondiba Khade & Anr ...Respondents

None for the Appellants.
Mr. Mandar Limaye, for the Respondents.

CORAM: N. M. JAMDAR, J
DATED: 31 JANUARY, 2018

Oral Order:-

1. None for the Appellants again.
2. The learned District Judge by the impugned order dated 30 August, 2012 decreed the suit filed by Respondent – Plaintiff and granted an order of injunction in favour of the Respondent - Plaintiff. Thereafter the Appeal was filed with delay, which has been condoned, is not being diligently prosecuted. The learned Counsel for the Respondent - Plaintiff has brought to my notice an order passed in Second Appeal No.116 of 2013 arising from the Suit filed by the Appellant for injunction. He states that in the said order there is a reference to Civil Suit No.108 of 1998 from which the present Second Appeal arises. Second Appeal No.116 of 2013 is dismissed on 24 October, 2013 and perhaps

that is the reason that the Appellants are not interested in prosecuting the present Appeal. The Appeal is accordingly dismissed for non-prosecution.

[N. M. JAMDAR, J.]