

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

SECOND APPEAL 44 OF 2016

(Smt. Sangeeta w/o. Raju Baisware..vs..Smt. Jeeradevi wd/o. Hardeo Singh & Ors.)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Shri S. Raisuddin, counsel for appellant.

CORAM: ROHIT B. DEO, J.

DATE: 19th November, 2018.

Heard.

2 The appeal is already dismissed against respondents 2 and 4. No steps have been taken for setting aside the dismissal order dated 2.8.2018.

3 The appeal is also dismissed against respondents 3(a) (b) and (c) and respondents 5(a) and (b).

4 The order of the Registrar (Judicial) dated 2.8.2018 reveals that in so far as the legal heirs of respondents 3 and 5 are concerned, the appeal is dismissed since the appellant did not furnish the correct address. In so far as respondents 2 and 4 are concerned, the appeal is dismissed since despite time granted on 25.1.2018, 1.3.2018, 5.4.2016, 11.4.2018, 3.5.2018, 21.6.2018 and finally on 19.7.2018, no steps were taken to serve the said respondents.

5 Respondent 1 is deleted from array of parties in view of the order dated 13.8.2015.

6 In view of the dismissal of the appeal against the

respondents, who are necessary parties, it would be futile to keep the appeal pending.

7 Second Appeal 44 of 2016 is dismissed.

8 The Registry to note that no application for restoration of the appeal shall be entertained unless accompanied by receipt evidencing deposit of cost of Rs. 3,000/- with the Vidarbha Lady Lawyer Association, Nagpur.

JUDGE

RSB