

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

SECOND APPEAL NO.600 OF 2005

(Smt. Kalawati wd/o Santoshrao Dandade ..vs.. Smt. Shushilabai wd/o Santoshrao Dandade (dead)
through L.R. Chandrashekhar Wagh)

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

Court's or Judge's orders

None for the appellant,
None for the respondent.

CORAM : ROHIT B. DEO, J.

DATED : 06-12-2018

None appears on behalf of the appellant even on second call.

2. None appeared on behalf of the appellant on 22-11-2018 and the following order is passed.

*“None appears on behalf of the appellant.
2. Subject to payment of costs of Rs.501/- to
be deposited with the High Court Bar Association,
Nagpur, stand over next week, as a last chance.”*

3. This appeal was dismissed in default by order dated 12-8-2009 and was later restored.

4. The costs have not been paid.

5. Pertinently, before imposing costs, this Court noted the conduct of the appellant and passed the following order on 16-11-2017.

“1. None for the appellant so also none for the respondent.

2. Though the Court could have dismissed the appeal, in order to give a chance to the parties to submit their case before this Court, put up this matter after Christmas Vacations 2017.”

6. It is more than apparent that the appellant is not interested in prosecuting the appeal.

7. The appeal is dismissed for want of prosecution.

8. The registry to note that no application for restoration of the appeal shall be entertained unless accompanied by receipt evidencing deposit of costs of Rs.5,000/- with the High Court Legal Services Sub-Committee, Nagpur.

JUDGE

adgokar