

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

15 SECOND APPEAL NO.969 OF 2005

BABUSING SAHEBSINGH MALI & ORS
VERSUS
SHERSINGH GANGANSINGH PUJARI

...

CORAM: H.M.BHOSALE
REGISTRAR (JUDL)

DATED: 10/07/2019

1. The learned Advocate for the appellants placed on record praecipe dated 25.2.2019 stating that sole respondent has expired on 23.5.2018, however, death certificate is not produced. The learned advocate for appellants Mr.Narwadkar has made endorsement on the very day i.e. 25.2.2019 and received the copy of the pursis. In other words, the appellants came to know about death of sole respondent on 25.2.2019 itself. Therefore, it was legitimate expectation from the appellants to take information and collect death certificate and take required steps within stipulated period. However, no steps have been taken till today. The stipulated period of 90 days has been expired. The sole respondent has died and, therefore, appeal does not survive. In turn, I pass the following order.

ORDER

The appeal stands disposed of as abated.

REGISTRAR (JUDL)