

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

SECOND APPEAL NO.102 OF 2006

Shivubai Alias Devubai Bapuro
Jamdade (Deceased LRs)
Chandrabhagabai Karbhari Khat ... Appellant
Vs
Anusayabai Laxman Jamdhade and Ors. ... Respondents
...
Mr. Ravi G. Shinde i/by Mr. S.M.Gorwadkar for the Appellant.
Mr. M.M.Sathye for the Respondent Nos.1 to 9.
Mr. R.M.Hardas for Respondent Nos.12 to 16.

CORAM : SANDEEP K. SHINDE J.

DATE : 7 MARCH, 2019

P.C. :

Papers in the proceedings were produced by the respondents on 4th March, 2019. It was pointed out that the sole appellant no.3- Ganpat Bapurao Jamdhade died on 14th September, 2011. It was pointed out that legal heirs of the deceased Ganpat are not brought on record and, therefore, appeal stands abated. It was pointed out that partition decree has been stayed by this Court vide order dated 24th March, 2008 passed in Civil Application No.601 of 2008. Under these circumstances, respondents were seeking

appropriate orders.

2 In view of the facts aforesaid, this appeal was directed to be placed on board.

3 Today, learned Advocate Mr. Ravi Shinde submits that he will take instructions and file an application to bring the legal representatives of the deceased appellant no.3 on record.

4 It is clarified that since legal representatives of the appellant no.3-Ganpat are not brought on record who died in the year 2011, appeal stood abated. Resultantly, interim relief granted by this Court ceased to operate.

(SANDEEP K. SHINDE, J.)