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

**APPEAL FROM ORDER NO.971 OF 2015
WITH
CIVIL APPLICATION NO.188 OF 2015**

Chhabinath s/o Shivnayak
Yadav

... Appellant.

V/s.

Jagannath Yadav

... Respondents

Mr.Akash A. Singh i/by Ashok M. Saraogi, for the
Appellant.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 15th JANUARY, 2019.

P.C. :

1] It is submitted that the appellant has already expired about six months back. However, no steps are taken for bringing his legal heirs on record. The Appeal is of the year 2015, filed against the rejection of the Notice of Motion.

2] In view thereof, there is no point in keeping it pending as the suit is already pending in the trial Court. The, appeal, therefore, stands abated.

[DR.SHALINI PHANSALKAR-JOSHI, J.]