

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

CIVIL APPLICATION (CAS) NO.422 OF 2019

IN

SECOND APPEAL NO.468 OF 2016

(Fattu s/o Vishvanath Gajbhiye ..vs.. Mukund Shridharrao Thawkar and others)

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

Court's or Judge's orders

Shri Anjan De, Counsel for the appellant,
Shri C.B. Dharmadhikari, Counsel for respondent 1,
None for respondents 2, 3 and 4.

CORAM : ROHIT B. DEO, J.

DATED : 03-05-2019

This Court was not inclined to grant further time to deposit the balance amount in compliance with the order dated 18-12-2018.

2. However, as an indulgence, two weeks time is granted to deposit the amount of Rs.2,37,500/-. If the said amount is not deposited within two weeks, the second appeal shall stand dismissed without any further reference to Court with costs of Rs.5,000/-, to be deposited with the High Court Bar Association, Nagpur. If the second appeal is dismissed for non-compliance of this order, the registry to ensure that the direction to pay costs is complied with.

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The application is allowed.

2. The legal heirs of deceased respondent 1 be

brought on record. The cause title be corrected appropriately.

3. Shri C.B. Dharmadhikari, learned Counsel waives service for the legal heirs of respondent 1.

JUDGE

adgokar