

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

CIVIL APPLICATION (CAO) NO. 987/2019

IN

CIVIL APPLICATION (CAO) NO. 855/2018

IN

MISC. CIVIL APPLICATION (M.C.A.) ST. NO. 1194/2018

IN

SECOND APPEAL NO. 160/2013

(Gomaji S/o Phattuji Baile (Dead), through L.R's-Narayan Gomaji Baile and others

-Vs.-

Gunwant S/o Annaji Thakre (Dead), through L.R's-Kamalabai Gunwant Thakre and others)

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

Court's or Judge's orders

Smt S.P. Giratkar, Advocate for the appellants

Shri M.N. Dongre, Advocate (appointed) for appellant no. 2

CORAM : ROHIT B. DEO, J.

DATED : 02-05-2019

Second Appeal 160/2013 came to be dismissed
on 11/02/2014 in default.

2. The application for restoration Civil Application 698/2016 is dismissed for failure to remove office objections. The application for restoration of the restoration application is delayed by 304 days and the applicant seeking condonation of delay is pending.

3. Notice issued to respondents 1-B, 2-B, 2-D and 2-E is awaited.

4. The appeal stands abated as against respondent 1-A Kamalabai Gunwant Thakre and stands dismissed as against respondents – 2-A and 2-C.

5. Perusal of the record would show that the applicants – original defendants have suffered concurrent findings and orders. The first appellate Court has noted that the defendants did not enter the witness box. There was no interim order operating in the second appeal.

6. In this view of the matter, the application for stay is rejected.

JUDGE

D.S.Baldwa