

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

Second Appeal No.390 of 2018
(Khateshwar s/o Mahadeo Khodke and ors. .vs. Shri Sant Lotangan Maharaj
Upasak Mandal, Gaul)

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

Court's or Judge's orders.

CORAM : Manish Pitale, J.
DATED : September 26, 2019.

None has appeared on behalf of the appellants when the appeal is called out. On 22.08.2019, the following order was passed:-

"It is noted that by order dated 03.08.2018 the appellants were granted permission to convert this second appeal into an appeal under Section 96 of the Code of Civil Procedure, 1908, in view of the Full Bench judgment in the case of Prabhakar Sambhu Chaudhary Vs. Laxman Baken Mali and ors. - 2016 (3) Mh.L.J. 202. The said exercise was to be completed within a period of one week. It is unfortunate that till date such conversion has not been carried out.

2. Therefore, the appellants are granted one week time as last chance to make the said conversion."

2. The office note shows that the counsel for the

appellants has not taken any steps to convert second appeal into an appeal under Section 96 of the CPC, as directed by this Court by order dated 03.08.2018, despite last chance being given by the above quoted order dated 22.08.2019.

3. In view of the above, it appears that neither the appellants nor their counsel are interested in pursuing this appeal. Hence dismissed for want of prosecution.

JUDGE

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