

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**84 FIRST APPEAL NO.3226 OF 2019
WITH CA/9069/2018 IN FA/3226/2019**

EX. ENGINEER, STRENGTHENING DIV. OMERGA THR EX. ENGINEER,
O.M.P.D. (NOW UNDER THE M.K.V.D.C., Pune)

VERSUS

BISMILLABI YAKUBSAB KURESHI (DEAD) THR LRS SAMIULLA & ORS

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Advocate for Appellant : Mr.Shirish G.Sangle (absent)

Advocate for Respondents No.1 & 2 : Ms.L.R.Thakur h/f. Mr.L.C.Patil

AGP for Respondents No.3 & 4 : Mr.S.N.Morampalle

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CORAM : K. K. SONAWANE, J.

Date: February 17, 2020

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PER COURT :-

1. When the matter is called out, no one else appeared on behalf of the appellant-Acquiring Body.
2. Learned counsel for the respondents No.1 and 2 as well as learned AGP for respondents No.3 and 4 are present.
3. This Court under order dated 20.01.2020, observed the absence of learned counsel for the appellant. Moreover, there is no compliance of the order passed by this Court on 20.09.2019. In such circumstances, last chance was granted to the appellant-Acquiring Body till 17.02.2020.
4. Today, the matter is listed for admission. But, no one else appeared on behalf of the appellant-Acquiring Body. In such circumstance, there is no propriety to keep the present matter alive on board awaiting presence of the appellant-Acquiring Body and its counsel. Hence, appeal stands dismissed for want of prosecution. No order as to costs. Pending civil application does not survive and stands disposed of.

(K. K. SONAWANE, J.)