

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

**SECOND APPEAL NO.129 OF 2018
WITH
CIVIL APPLICATION NO.1417 OF 2008**

**WITH
SECOND APPEAL (ST.) NO.19354 OF 2008
WITH
CIVIL APPLICATION NO.1419 OF 2008**

**WITH
CIVIL APPLICATION NO.1420 OF 2008
WITH
SECOND APPEAL (ST.) NO.19354 OF 2008**

Lilabai Laxman Shinde & Ors. Appellants
Vs.
Baba Patalu Khade & Ors. Respondents

Ms. Sonali Mahangare a/w Bhavika Mardhekar i/by Mr. Vikas K. Mahangare for Appellants.

None for Respondents.

**Coram : NITIN W. SAMBRE, J.
Date : 8th January, 2020**

P.C.:

1. Perused the appeal memo and the applications. The cause title reflects that both the appeals are dismissed against Respondents nos. 1(B), 1(C), 1(E) and 1(F).

2. No steps are taken for restoration of the same or setting aside abatement.

3. In the wake of above, since the appeals are already dismissed against aforementioned respondents, and the claim in the suit is that of partition and separate possession, decree attains finality to the extent of the respondent against whom the appeals are already dismissed. That being so, in my opinion, the appeals abate as a whole. As such are dismissed.

4. In view of dismissal of the appeals, the above Civil Applications do not survive. The same are accordingly disposed of.

(NITIN W. SAMBRE, J.)