

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**908 CIVIL APPLICATION NO.6746 OF 2021
IN SA/324/2014
WITH
CA/15/2014 IN SA/324/2014**

SOPAN NAMDEO GAVLI
VERSUS
DAGDU NAGNATH KASAR AND OTHERS

...
Advocate for Applicant : Mr. Adgaonkar Ravibhushan P.
AGP for Respondent No.1: Mr. A. R. Devakate.
...

**CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 29-07-2021.**

ORDER :

1. By this application, the applicant prays that the order passed by this Court on 07-01-2014 be continued.
2. Perusal of the second appeal would show that on 07-01-2014 notice was issued to the respondents making it returnable on 04-02-2014 and in the meantime it was stated that, "there shall be order in terms of prayer Clause (B) of CA No.15 of 2014." Thereafter, the matter was on board on 04-03-2014 which later on adjourned to 13-03-2014 and the interim was continued till then. Again after one continuation on 08-04-2014, the matter was on board on 22-04-2014 on which the notices were issued to the other respondents making it returnable on 16-06-2014 and the interim relief was continued till then. Thereafter, the notice of respondent No.3 was awaited on 16-06-2014. On that day, the matter was thereafter posted on 14-07-

2014 and at that time also interim relief was continued till then. Thereafter, the appellant has not got the interim relief extended. Under such circumstances, when there are absolutely no reasons given by the appellant as to why he has not got the interim relief extended, abruptly now the order that was passed on 07-01-2014 cannot be continued.

3. Learned Advocate Mr. Adgaonkar submits that he would work out the second appeal itself. The learned Advocate Mr. Devakate appearing for respondent No.1 agrees to that. It appears that respondent No.2 has expired and respondent No.3 is served. The fact that respondent No.2 is dead has been brought to the notice of the learned Advocate for the appellant. Under such circumstances, place the second appeal itself for admission on 04-08-2021.

4. Civil Application No.6746 of 2021 stands disposed of without passing any order in respect of reliefs prayed.

(SMT. VIBHA KANKANWADI)
JUDGE

vjg/-