

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

Second Appeal No.293/2013

Sakharam Subhanrao Shinde & Ors. **Vs.** Sunil Digambar Shinde

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

Court's or Judge's Orders

Shri Shubhankar Phadnis h/f Shri K. Nalamwar, Advocate for the Respondent.

CORAM : S.M. MODAK, J.
DATE : 16th SEPTEMBER, 2021.

Though this Court has directed the appellants to file private paper-book within eight weeks as per the order dated 26th March, 2015, it was not filed. It was the conditional order. The appeal was restored as per the order dated 15th July, 2019. Even this Court granted six weeks time to file private paper-book as per the order dated 13th July, 2021. Even this Court has noted down about not filing of private paper-book as per the order dated 24th August, 2021. More than sufficient time has been granted to the appellants. In spite of the restoration of the appeal, the appellants have not taken diligent steps by filing private paper-book. Hence, the appeal needs to be dismissed.

02] The appeal stands dismissed for not filing of private paper-book. This Court has already directed the appellants to pay costs of Rs.5,000/- as per the order dated 13th July, 2021. In spite of that, there is no improvement.

03] Hence, if the appellants will file the application for restoration of the second appeal, he is directed to deposit the costs of Rs.5,000/- then the application will be entertained.

- 04] Interim order, if any, stands vacated.
- 05] Interim application, if any, stands disposed of.

JUDGE

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