

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

**SECOND APPEAL NO. 379 OF 2005
ALONGWITH
CIVIL APPLICATION NO. 664 OF 2010
IN
SECOND APPEAL NO. 379 OF 2005**

Ganpati Krishna Ubale ...Appellant
vs.
Smt. Ambubai Rajaram Sutar and Ors. ...Respondents

Adv. Rajaram V. Bansode - Advocate for the Respondent Nos. 2, 3A, 3C, 3E and 3F.

CORAM : S. M. MODAK, J.

DATE : 06th SEPTEMBER, 2022

P.C. :-

1. Heard learned Advocate for the Respondents.
2. As directed by this Court on 26/07/2022 an attempt was made to serve the Appellant. However envelope has returned back with the remark 'deceased'. The affidavit of service is taken on record. In addition to that copy of the death certificate mentioning that the sole Appellant expired on 16/09/2021 is taken on record and marked as 'Annexure-X'.
3. So admittedly no steps are taken to bring the legal representatives of deceased Appellant within the statutory period.
4. Hence the Appeal stand abated. Interim or Civil application, if any, stands disposed of.

[S. M. MODAK, J.]