

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

SECOND APPEAL NO.382 OF 1993

Doshi Autobobile Pro. Jawahar Premchand
Age 40 years, Occu. Business, R/o. Barshi,
District Solapur

.. Appellant

Versus

1. Ramrao Udhavrao Kanade, Chief Officer
Municipal Osmanabad
2. Waman Narayan Patil, Age 50 years,
Occu. Business, Osmanabad
3. Madanlal Bankatlal Kachawa, Age 40 years,
R/o. Jagaji, Taluka and District Osmanabad .. Respondents

Smt. M. A. Kulkarni, Advocate for Appellant;
Mr. V. B. Deshmukh, Advocate for Respondent No.1

CORAM : S. G. MEHARE, J.

DATE : 20-09-2023

PER COURT :-

1. Smt. M. A. Kulkarni, learned counsel has made a statement that the appellant has lost his possession. She has also instructions from the appellant that he does not want to proceed with the appeal. However, she makes a statement that no written instructions are received; hence, she want to argue the appeal and it may not be appropriate. Therefore, she is directed to write a letter to the appellant and seek instructions in writing, whether he was to contest the appeal or not.

2. Now she is making a statement that since the appellant has lost possession; second appeal has become *infructuous*. Therefore, it would be appropriate to dismiss the appeal as *infructuous*.

3. On her statement, the appeal stands dismissed as *infructuous*.

4. R & P be returned to the learned trial Court.

(S. G. MEHARE)
JUDGE

rrd