

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

55 SECOND APPEAL NO.433 OF 1993

TUKARAM DHONDIBA KHEMNAR U/G LAXMIBAI AND
OTHERS
VERSUS
KASABAI TUKARAM KHEMNAR

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Advocate for Respondent : Mr. S. T. Shelke.

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CORAM : S. G. MEHARE, J.

DATE : 06.11.2023

PER COURT :-

1. Since nobody appeared for the appellants, the notice through Court were issued to the appellants. As per the bailiff report, appellant Nos.1 and 4 were served. However, they did not appear. Respondent No.2 died during the pendency of the appeal. The bailiff report shows that appellant Nos.3 and 5 have also been dead. Hence, the second appeal against appellant Nos.3 and 5 stands abated.

2. The appellant Nos.1 and 4 appears to have lost the interest in the litigation.

3. Hence, second appeal stands dismissed for want of prosecution.

(S. G. MEHARE, J.)

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