

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

**CIVIL APPLICATION NO.11754 OF 2018
IN SA/806/2013 WITH CA/14894/2013 IN SA/806/2013**

**ANTIKABAI@AVANTIKA JAGANNATH PAWAT AND ANOTHER
VERSUS
JAGANNATH VITHOBA KAKADE AND OTHERS**

...

Advocate for Applicants : Mr. Imale Ramesh R.
Advocate for Respondent Nos. 1 To 5, 7a To 7c, 8a to 8d : Mr. D.R.
Markad h/f Mr. N.K. Kakade

...

CORAM : S.G. MEHARE, J.

DATED : SEPTEMBER 21, 2023

PER COURT:-

1. Learned counsel for the appellants/present respondents has filed a letter addressed to the appellants calling them to contact him, but they did not respond.
2. Learned counsel for respondents would submit that the conditional stay was granted. The conditions were not complied with except for two occasions.
3. The conduct of the appellants appears that they might have lost interest in the litigation. The stay is running against the respondents since 2013. The appellants are even not responding to their lawyer. They seem to be not diligent. The decree for possession was passed against them. The suit was filed long back in 2002. Long time has been passed.

(2)

4. Considering the conduct of the appellants, the stay order dated 11.12.2013 stands vacated.
5. List the matter on 02.11.2023 for appearance of the appellants and appropriate orders on their failure to appear in the matter.
6. The notice filed by the counsel issued to the appellants be taken on record.

(S.G. MEHARE, J.)