

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

928 CIVIL APPLICATION NO.8725 OF 2010  
IN SECOND APPEAL NO.831 OF 1999

...  
MACHINDRA PATILBA KALE  
VERSUS  
KADUBE BABULAL & OTHERS

...

**CORAM : ARUN R. PEDNEKER, J.**

**DATE : 21.06.2023**

**P.C. :**

1] On 29<sup>th</sup> March, 2023, this Court granted three weeks to take steps against unserved respondents as a last chance. Thereafter again, on 19<sup>th</sup> April, 2023, this Court granted extension of time to take steps against all unserved respondents and it is clarified in the said order that if by next date, no steps are taken, the application shall stand dismissed against those respondents.

2] Thereafter, the matter is listed today, none appears for the applicant. The office note indicates that the advocate has not taken steps against unserved respondent nos.1 to 3 till date.

3] In view of the same, the present Civil Application for restoration of the Second Appeal stands dismissed for non prosecution.

**[ARUN R. PEDNEKER]**  
**JUDGE**

DDC