

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

**SECOND APPEAL NO.224 OF 1992
WITH
CIVIL APPLICATION (ST.) NO.20702 OF 2018**

Kutubuddin Kashim Shaikh (since deceased)
through his legal heirs & representatives

1. Jaibunbi Kutubuddin Shaikh & Ors.	.. Appellants
Versus	
Imamuddin Kashim Shaikh (since deceased)	
through his legal heirs & Ors.	.. Respondents

**ALONG WITH
SECOND APPEAL NO.353 OF 1992**

Kutubuddin Kashim Shaikh (since deceased)
through his legal heirs & representatives

1. Jaibunbi Kutubuddin Shaikh & Ors.	.. Appellants
Versus	
Imamuddin Kashim Shaikh (since deceased)	
through his legal heirs & Ors.	.. Respondents

None for the Appellants.
Mr.T.S.Ingale for Respondent Nos.1(a) to 1(c), 2(a) to 2(c), 3 & 4.

CORAM : JITENDRA JAIN, J.
DATE : 15th September 2023

P.C.:-

. These appeals and civil application are called out for hearing. None appeared for the Appellants. Mr.Ingale, learned counsel appears for the Respondents. The original suit was filed in the year 1980 and the present appeals are filed in the year 1992. We are of the year 2023 i.e. lis between the parties is pending for almost 5 decades.

2. On the earlier occasion also, the appeals were dismissed for non-appearance. However, the same was restored on the ground that litigants should not suffer for non-appearance of the advocate. There has been several non-appearance in the past.

3. Looking at the past conduct and the appeals being very old and no one appearing for the appellant, the present appeals and the pending civil application are dismissed.

JITENDRA JAIN, J.