

Arjun

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

SECOND APPEAL NO.177 OF 2010

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Haribhau Govind Tiwalekar ...Appellant

V/s.

Janu Chynakhwa & Ors. ...Respondents

**WITH
INTERIM APPLICATION NO.969 OF 2022
IN
SECOND APPEAL NO.177 OF 2010**

Rajaram Janu Chaynakhawa ...Applicant

In the matter between

Haribhau Govind Tiwalekar ...Appellants
(Since deceased through legal heirs)
Vidyut Haribhau Tiwalekar & Anr.

V/s.

Janu Chynakhwa & Ors. ...Respondents

Mr. Ajay Joshi i/b Rahul M. More, for the Appellant in
SA/177/2010.

Mr. Pradeep D. Dalvi, for the Applicant in IA/969/2022
in SA/177/2010.

**CORAM : MADHAV J. JAMDAR, J.
DATE : 8th FEBRUARY, 2023**

P.C.:

1. It is admitted position that, the sole Appellant i.e.

Haribhau Govind Tiwalekar has passed away on 27th April, 2021. Therefore, the Second Appeal is abated and dismissed as such.

2. As the Second Appeal is abated, all interim orders also stand vacated. It is specifically clarified that all interim orders including order dated 18th October, 2010 passed by this Court in Civil Application No.649 of 2010 in Second Appeal No.177 of 2010 also stand vacated.

3. As the Second Appeal is dismissed as abated, nothing survives in the Interim Application No.969 of 2022 and the same has become infructuous and disposed of as such.

(MADHAV J. JAMDAR, J.)