

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT NAGPUR, NAGPUR.

...
CIVIL APPLICATION (S) NO.880/2023
in
SECOND APPEAL NO 03/2007

Anandrao Konduji Kalambe and others ..Appellant /s

versus

Annaji Kalambe and others ..Respondent/s

.....
Mr.M.A.Vishnu, Adv.h/for Mr S.A.Deo, Advocate for the applicant /s
Mrs. S.P. Deshpande, Adv.for Respondent nos. 1 & 6
.....

CORAM: ANIL L. PANSARE, J.

DATED : 5th July, 2023.

PC:

Heard.

It appears from the pleadings in paragraph 3 of the Civil Application that the appellant no.3 as well as Respondents 2,3,4 and 5 have expired, but no steps have been taken by the appellants. Learned counsel for respondent nos.1 and 6 submits that she has informed this fact to the counsel for the appellant on 27.03.2023. The learned counsel for the appellants submits that no such information was received and the counsel came to know about the death of the above persons when the copy of application was served on him. The learned counsel for the respondent Nos. 1 and 6, however, submits that the appellant no.3 and the other respondents are the relatives of appellant nos.1 and 2 and that therefore there is every reason to believe that the appellant nos. 1 and 2 are/were aware of the death of these persons.

The Second Appeal stands abated as against appellant no.3 and respondents 2,3,4 and 5.

The learned counsel for respondents 1 and 6 has filed this Application seeking early hearing of the appeal, on the ground that the respondents 1 and 6 are the senior citizens.

The appeal is pretty old and some of the litigants have already expired. The Civil Application is allowed.

List the appeal for final hearing on 19th July,2023.

[ANIL L. PANSARE, J.]

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