



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

19 SECOND APPEAL NO. 273 OF 1997

LAXMIBAI JALBA AND ANOTHER.  
VERSUS  
HONAJI KOLANA WADDEWAR.  
WITH  
CIVIL APPLICATION NO. 1627 OF 2008  
IN SA/273/1997  
HONAJI KOLANA WADDEWAR AND ORS  
VERSUS  
LAXMIBAI JALBA AND ANR

...

Mr. Mr. A. G. Godhamgaonkar., Advocate for Appellants  
Mr. Jay Veer, Advocate for the Respondent/ applicant.

CORAM : Y. G. KHOBRAGADE, J.  
DATE : 1<sup>st</sup> April, 2024

**ORDER:**

1. By the present application, the applicant has put forth prayer clause (B) as under:

"(B) The Second Appeal No. 273 of 1997 may kindly be directed to be dismissed as abated against the sole respondent in the second Appeal/Original Plaintiff namely Honaji, who died on 05.09.1999 and whose L.Rs. are not brought on record till this date in spite of Purshis being filed long back on 05.05.2000 in Registry."

2. Since sole respondent in the second Appeal/Original Plaintiff namely Honaji died on 05.09.1999 and his legal heirs are not brought on record till date of filing of the application inspite of purshis being

filed on 05.05.2000, the appeal is abated against the sole respondent/original plaintiff.

3. Civil application is disposed off.

**( Y. G. KHOBRADE, J. )**

JPChavan