



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

913 CIVIL APPLICATION NO. 3495 OF 2023
IN SECOND APPEAL NO. 1471 OF 2005

RUSTUMRAO PURBHAJI KADAM (DIED) THROUGH L.RS.
AMRUTRAO AND OTHERS

VERSUS

BHANUDAS NARHARI DUGAR AND OTHERS

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Mr. M.V. Ghatge – Advocate for Respondent Nos.1 to 3

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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 21st August, 2024

PER COURT :

1. None present for the applicants.
2. The record shows that, the appeal was abated in its entirety vide order dated 2nd March, 2022, since the legal representatives of sole appellant were not brought on record. Thereafter the application for that purpose was filed but the same was dismissed for default and then the present application has been filed for setting aside order of dismissal of this appeal dated 02.03.2022 and also for restoration of Civil Application No. 21798 of 2021 for restoration of earlier application for bringing legal representatives. However, in this application also the appellants failed to take steps against deceased

respondent No.4 and unserved respondent Nos.6 and 7, despite several last chances. This shows the highest negligent approach of the appellants.

3. As such, the application stands dismissed for default.

[SANDIPKUMAR C. MORE]
JUDGE