



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

914 SECOND APPEAL NO. 457 OF 2013

LAXMI @ CHANDRAKALA DIGAMBAR BADADE AND ANOTHER
VERSUS
DATTU VISHNU BADADE

.....
Advocate for Respondents : Mr. PH. Sukale h/f. Narwade Narayan B.
.....

CORAM : Y.G. KHOBRAGADE, J.
DATE : 02.04.2024

PC.:-

1. Though the matter was called out second time at about 4.00 p.m. but none appeared for the appellant. Mr. PH. Sukale h/f. N.B. Narwade appeared on behalf of the respondent-plaintiffs.

2. On 23.03.2024, this Court passed the following order which reads as under:

“1. Mr. Sagar P. Mahale holding for Mr. Shaikh Mazhar A. Jahagirdar, learned counsel appearing for the appellants seeks short accommodation on the ground of personal difficulty of the learned counsel Mr. Jahagirdar.

2. Needless to say that on 11.03.2013, the appellant instituted the Second Appeal challenging the judgment and decree dated 29.01.2013 passed by the learned First Appellate Court in Regular Civil Appeal No.8/12012 and confirmed the judgment and decree dated 15.11.2010 passed by the learned trial Court in Regular Civil

Suit No.77/2010.

3. The record reveals that on 10.10.2013 first time the matter was listed for admission and since then, the matter is pending before this Court. On 08.02.2024 also, the learned counsel for the appellants had sought time.

4. Since the arguing counsel is having personal difficulty, one more adjournment is granted as a last chance with clear understanding that if the learned counsel for the appellants fails to argue the matter on next date, in that event appropriate order would be passed and no further adjournment would be granted.

5. Stand over to 02.04.2024.:

3. In spite of said fact none appeared on behalf of the appellant.

Hence, it is dismissed for want of prosecution. No order as to the cost.

[Y.G. KHOBRAGADE, J.]