



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

17 SECOND APPEAL NO. 742 OF 2013

BHIMABAI KACHARU SHEJWAL LRS BHIKA LRS VATSALABAI
DECEASED AND OTHERS

VERSUS

CHHABUBAI LRS VIMAL KERU JAGTAP DECEASED AND OTHERS

...

Mr. M. L. Sapkal, Advocate for Appellant-Absent

Mr. S. S. Wagh h/for Mr.V. H. Dighe, Advocate for Respondents 1A to 1D

CORAM : Y. G. KHOBRAGADE, J.

DATE : 18th March, 2024

ORDER:

1. Though the matter was repeatedly called out even after recess, but the counsel for the appellant remained absent.

2. The record speaks that on 07.03.2014, this Court issued notice to the respondents and the learned counsel Mr. Dighe, appeared for the caveator i.e. Respondent Nos. 1 A to 1D. Subsequently, record and proceeding was called and it is already received. On 16.02.2024, this Court passed the following order:

"1. None present for the appellants.

2. This appeal is of the year 2013. Hence, kept for dismissal on 18th March, 2024."

3. In spite of this fact, the counsel for the appellants remained absent, which shows that the appellant might have lost interest in the

matter. Under the circumstance, no option left with the Court except to dismiss the appeal for want of prosecution. Accordingly, the second appeal is dismissed for want of prosecution.

4. Record and proceedings may be returned to the concerned Court.

(Y. G. KHOBRADE, J.)

JPChavan