



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

14 SECOND APPEAL NO. 787 OF 2013

**BHAGWAT TUKARAM KALE
VERSUS
RAJENDRA NAGORAO KATE AND ANR**

Mr. V. S. Tanwade, Advocate for Appellant-Absent

CORAM : Y. G. KHOBRADE, J.

Dated : 11th March, 2024

PER COURT :-

1. Though called out even after recess, none appeared in the matter.
2. On the face of record, it appears that on 20.09.2011, the appellant has instituted the appeal alongwith application for condonation of delay i.e. Civil Application No. 4348 of 2012. On 1st October, 2013, the said application came to be allowed. Since then, the matter remained uncirculated. Thereafter, today, for the first time, this matter is listed for admission. However, the counsel for the appellant or the appellant, who suffered concurrent findings, remained absent. Therefore, it appears that the appellant might have lost interest in the matter. In this circumstance, no option left with the Court but to dismiss the appeal for want of prosecution.
3. Accordingly the second appeal is dismissed for want of prosecution.

(Y. G. KHOBRADE, J.)