



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAS) NO. 207 OF 2024
IN
SECOND APPEAL NO. 441 OF 2006

Shri Kesharao S/o Dhondhaji Rode (Dead) through LR. and others

..VS..

Shri Kashinath S/o Dhondhaji Rode (Dead) through LR. and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms. Archana Lanjewar, Advocate h/f. Mr. N.R. Saboo, Advocate for appellants.

Mr. G.E. Moharir, Advocate for LR. of respondent No.1.

CORAM : SANJAY A. DESHMUKH, J.

DATED : 27th JUNE, 2024

This is an application for withdrawal of this appeal on behalf of appellant Nos.2 to 6. The appellant No.1 is absent even though notice was issued to him in view of Pursis dated 08.03.2024 by this Court. The appellant Nos.2 to 6 and also legal heirs of respondent No.1 are present in the Court. They have filed Compromise Pursis/Family Arrangement, however, appellant No.1 is not present.

2. On enquiry by this Court to other appellants, they are submitting that the appellant No.1 is suffering from mental illness and wandering in the entire village and his wife is paralyzed.

3. In such fact situation, it would be proper to appoint his next friend to represent the appellant No.1.

Therefore, the appellant Nos.2 to 6 are directed to comply the procedure prescribed by law for appointing next friend of the appellant No.1.

4. Stand over to **10.07.2024**.

(SANJAY A. DESHMUKH, J.)

Kirtak