



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

136 SECOND APPEAL NO. 45 OF 1999

VITHAL SAWLARAM KULKARNI(DIED)L.RS.SAWLARAM AND ORS.
VERSUS
PRABHAKAR MADHAVRAO KULKARNI AND OTHERS

...
Advocate for Appellant No. 3 : Mr. Sapkal V.D. (Senior Advocate)
Advocate for Respondent Nos. 1 & 2 : Mr. J.C. Badve
...

CORAM : S. G. CHAPALGAONKAR, J.
Dated : 28.03.2025

PER COURT :-

1. On 13.12.2024 Mr. Sapkal, learned Senior Advocate appearing for appellants submitted that he has already given no objection to appellants.
2. Mr. Badve, learned Advocate appearing for respondent Nos. 1 & 2 informed that appellant Nos. 1, 2 and 4 are already expired. In that view of the matter on 17.01.2025 notice was issued on Court motion to appellant No. 3, however, it has been returned un-served with remark of incomplete address.
3. From record of Second Appeal, no source to find out address of respondent No. 3, Sindhu w/o Dattatraya Kulkarni can be traced. Bailiff report shows that inspite of extensive inquiry in Sector N-7, CIDCO, Aurangabad as per address mentioned in title Clause of appeal whereabouts of Appellant No. 3 could be found.
4. In that view of the matter, Second Appeal stands dismissed for want of prosecution.

(S. G. CHAPALGAONKAR)
JUDGE