

Iresh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**SECOND APPEAL NO. 625 OF 1993
WITH
CIVIL APPLICATION NO. 1537 OF 2004**

Limba E. Waghmare and orsAppellants

Vs.

Balbhim Balaji Waghmode and orsRespondents

None for the appellants

Mr. V. B. Rajure for respondent nos. 1B, 1C, 1D, 1E, 2A, 3A, 3B,
4A to 4F.

CORAM : GAURI GODSE, J.

DATE : 24th JULY 2025

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MASHAL

ORDER:

1. On 17th July 2025, none had appeared for the appellant.
Following order was passed by recording submissions made on
behalf of the respondents.

“1. None appears for the appellants. Learned
counsel appearing for the respondents has tendered
a compilation of documents alongwith list of sale

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deeds executed by the appellants. Compilation is taken on record.

2. Learned counsel for the respondents submits that the present appeal arises out of concurrent judgments and decrees dismissing the suit for injunction. He submits that subsequently the appellants had filed Regular Civil Suit No. 299 of 2001 for partition, however, that suit is also dismissed for non-prosecution.

3. Learned counsel for the respondents therefore submits that nothing survives in this second appeal.

4. Since none appears for the appellants, by way of last chance to the appellants, list this second appeal on 24th July 2025. To be listed under the caption for "Dismissal".

2. Since none appears for the appellant even today, the second appeal is dismissed in default.

3. In view of disposal of the second appeal, pending civil application is disposed of as infructuous.

[GAURI GODSE, J.]