

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

4 SECOND APPEAL NO.182 OF 2018
WITH
CA/3365/2018 IN SA/182/2018

BASAPPA VEERPAKSHAPPA HOLKUNDE AND OTHERS
VERSUS
MURGAPPA CHANNAPPA HOLKUNDE (DIED) LRS NAGAPPA AND
OTHERS

...
Advocate for Appellants : Mr. S. A. Patil, holding for Mr. Salunke V.D.
Advocate for Respondent : Lex-Aquila- M. D. Thube - Mhase
...

CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 03-04-2019.

PER COURT :

1. Learned advocate Mr. S. A. Patil, holding for Mr. Salunke V.D. representing appellants submits that, Mr. V. D. Salunke has filed leave note. On 13-03-2019 also adjournment was sought since Mr. V. D. Salunke was in personal difficulty.
2. Learned advocate for the sole respondent submits that, now she has objection. Up till now the respondent has not taken any step only on the ground that, she had made a statement on 12-03-2018, though not recorded that, respondent will not go ahead with the execution proceedings. But since then on one or the other pretext the appellants are seeking adjournments, and therefore, she should be relieved of the

said statement.

3. It is a fact that, appellant has sought many adjournments and even on the last occasion, that is on 13-03-2019 the matter was adjourned till today as a last chance. However, still again the learned advocate for the appellant has filed leave note. He ought to have made some arrangement if it was not possible for him to attend the matter. Now as a very last chance, the matter is kept on 12-04-2019 and if it is not argued on that day by the appellants, the second appeal itself is liable to be dismissed.

(SMT. VIBHA KANKANWADI)
JUDGE

vjg/-.