

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil)...../2009  
CC 17290-17291/2009

(From the judgement and order dated 19/11/2008 and 13/8/2009 in SA  
No. 186/1986 in RP 84/1990 of The HIGH COURT OF BOMBAY AT AURANGABAD)

GULABRAO Petitioner(s)

VERSUS

BHAURAO SIDRAMAPPA CHINCHANSURE(D)THR.LR Respondent(s)

With I.A.No.1 (c/delay in filing SLP,c/delay in refiling SLP and  
office report)

Date: 13/11/2009 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN  
HON'BLE MR. JUSTICE G.S. SINGHVI

For Petitioner(s) Dr. R.R. Deshpande,Adv.  
Mrs. Ujwala R. Deshpande, Adv.

For Respondent(s) Mr. Amol N. Suryawanshi, Adv.  
Mr. Anil Kr. Tandale, Adv.

UPON hearing counsel the Court made the following  
O R D E R

Delay condoned.

The legal representatives of the third defendant in a  
suit for possession and mesne profits have filed these SLPs.  
They submit that the third defendant had died during the  
pendency of the second appeal before the High Court and that  
without bringing his legal representatives on record, the  
second appeal was disposed of.

: 2 :

We find from the judgment of the trial court that  
suit has been decreed only against the first defendant and  
not against the third defendant.

The High Court has restored the trial court judgment  
while setting aside the judgment of the first Appellate  
Court. That means the decree for possession is only against  
the first defendant and not against the third respondent. In  
the circumstances, the LRs of the third defendant are not  
aggrieved parties. The special leave petitions are therefore

dismissed.

(Pawan Kumar)  
AR-CUM-PS

(M.S. Negi)  
Court Master