

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION**

FIRST APPEAL NO. 586 OF 1998

Mahindra Bhukandas Shah
Since Deceased by His Heirs and Legal
Representatives ... Appellants
V/s.
Radhabai Ankush Malusare & Ors. ... Respondents

**WITH
CIVIL APPLICATION NO. 536 OF 2012
IN
FIRST APPEAL NO. 786 OF 1999**

Mahindra Bhukandas Shah
Since Deceased Through His Legal Heirs
and Representatives ... Applicants
V/s.
Indubai Dhondiba Ghadge & Ors. ... Respondents

**WITH
CIVIL APPLICATION NO. 537 OF 2012
IN
FIRST APPEAL NO. 787 OF 1999**

Mahindra Bhukandas Shah
Since Deceased Through His Legal Heirs
and Representatives ... Applicant
V/s.
Vikas Vishnu Pawar & Ors. ... Respondents

**WITH
CIVIL APPLICATION NO. 538 OF 2012
IN
FIRST APPEAL NO. 790 OF 1999**

Mahindra Bhukandas Shah ... Applicant
Since Deceased Through His Legal Heirs
and Representatives

V/s.
Vilas Vishnu Pawar & Ors. ... Respondents

**WITH
FIRST APPEAL NO. 788 OF 1999**

Mahindra Bhukandas Shah & Ors. ... Appellants
V/s.
Chandar Ramabhilare & Ors. ... Respondents

**WITH
FIRST APPEAL NO. 791 OF 1999**

Mahindra B. Shah Since Deceased By ... Appellants
Through Heirs and Legal Representatives
V/s.
Ranjana Ramesh Sawant & Ors. ... Respondents

**WITH
FIRST APPEAL NO. 790 OF 1999**

Mahindra B. Shah
Since Deceased by His Heirs and Legal
Representatives ... Appellants
V/s.
Bajrang Keshav Pawar & Ors. ... Respondents

**WITH
FIRST APPEAL NO. 786 OF 1999**

Mahindra B. Shah
Since Deceased by His Heirs and Legal
Representatives ... Appellants
V/s.
Indubai Dhondiba Ghadge & Ors. ... Respondents

**WITH
FIRST APPEAL NO. 787 OF 1999**

Mahindra B. Shah
Since Deceased by His Heirs and Legal
Representatives ... Appellants

V/s.
 Vilas Vishnu Pawar & Ors. ... Respondents

N. G. Kamble i/by Dr. Uday Warunjikar for the Respondents.

Mr. Prabhakar Jadhav (through V.C.) with Rutik Kashid for Respondent No.5.

Mr. Devendranath S. Joshi (through V.C.) for Respondent No.6.

CORAM : ASHWIN D. BHOBE, J.

DATED : SEPTEMBER 24, 2026

P.C.:

1. On 10th September 2026, the following order was passed in these Appeals:

“1. These Appeals are of the year 1998 and 1999. Being old matters, today, these Appeals are listed under the caption “For Directions”.

2. When these Appeal were called out, neither the Appellants nor the Advocate for the Appellants were present in Court either physically or through VC mode.

3. Ms. Neha Deshpande learned Advocate for the Respondent and Mr. Rutik Kashid, learned Advocate for the Respondent No. 5, are present in Court. They state that Advocate on record for the Appellants is from Mumbai. They submit that they would make an attempt to contact the Advocate on record for the Appellants and inform him about the next date fixed in this matter. They request for an adjournment and listing of this matter on 24.09.2026.

4. At the request of the learned Advocates for the Respondents, list these Appeals on 24.09.2026, under the caption “For Disposal”, on Supplementary Board.

5. It is clarified that if the Appellants / Advocate for the Appellants do not appear, appropriate order would be passed after hearing the parties present.”

2. Today, when these Appeals were called out names of the Appellants and Advocate for the Appellants were called out by the Court Sheristedar. Neither the Appellants nor the Advocate on Record for the Appellants in these Appeals are present either in Court or on V.C.

3. Mr. Prabhakar Jadhav, learned Advocate for Respondent No. 5, and Mr. Devendranath S. Joshi, learned Advocate for Respondent No. 6–Insurance Company, submit that the absence of the Appellants/Advocate on Record for the Appellants indicates that the Appellants are not interested in pursuing the Appeals, which are pending since the years 1999 and 1998 respectively, that is, for almost 26 years. They, therefore, insist for dismissal of these Appeals. They refer to the caution which was given to the Appellants/Advocate for the Appellants in the order dated 10th September 2026 and these Appeals being today listed under the caption “For Disposal”.

4. In view of the absence of the Appellants/Advocate for the Appellants, and insistence for dismissal as requested by Mr. Prabhakar Jadhav, learned Advocate for Respondent No. 5, and Mr. Devendranath S. Joshi, learned Advocate for Respondent No. 6–Insurance Company, this Court is left with no other alternative but to dismiss these Appeals for non-prosecution.

5. The First Appeal No. 586 of 1998, First Appeal No. 788 of 1999, First Appeal No. 791 of 1999, First Appeal No. 790 of 1999, First Appeal No. 786 of 1999 And First Appeal No. 787 of 1999 are dismissed for non-prosecution.

6. All Pending Interlocutory Applications, if any, stand disposed of in view of the disposal of the First Appeals.

(ASHWIN D. BHOBE, J.)