



**IN THE HIGH COURT OF BOMBAY AT GOA
SECOND APPEAL NO.11 OF 2011
WITH
SECOND APPEAL NO.14 OF 2011**

SECOND APPEAL NO.11 OF 2011

JAYANT SHIVRAM KHANDEPARKARAPPELLANTS
AND ANR.

Versus
COMMUNIDADE OF USAON REP. BY
ITS ATTORNEY SHRI. ANAND PARABRESPONDENT

WITH

SECOND APPEAL NO.14 OF 2011

SHRI BABULI MAHADEV NAIK AND ... APPELLANT
ANR.,

Versus ... RESPONDENT

SHRI. JAYANT S.S. KHANDEPARKAR

Mr. R.G. Ramani, Senior Counsel with Mr. V. Narvekar, Advocate for the Appellant in SA No.11/2011.

Ms. S. Kenny, Advocate for the Appellant in SA No. 14 of 2011.

CORAM: BHARAT P. DESHPANDE,J

DATED : 27th June, 2024

P.C.:

1. Ms. S. Kenny appearing for the Appellant in SA No.14 of 2011 submits that in spite of her efforts, she is unable to contact the legal heirs of the Appellant.

2. On 26/04/2024, the following order was passed:

“1. Mr Ramani, learned Senior Advocate appearing for the appellants in Second Appeal No.11/2011 points out that this appeal was ordered to be considered along with Second Appeal No.14/2011.

2. He points out that in 2020, he had pointed out that both the appellants in Second Appeal No.14/2011 had expired. The Advocate for the appellants in Second Appeal No.14/2011 had stated that steps would be taken to bring on record legal representatives of deceased appellants.

3. Till date, no steps appear to have been taken.

4. Accordingly, the matter is now posted on 27.06.2024 for directions.”

3. It was reported that both Appellant No.1 expired on 12/09/2019 and Appellant No.2 expired on 17/12/2020 in SA No.14/2011. Accordingly, SA No.14/2011 stands abated. The abatement is automatic therefore S.A. No.14/2011 stands disposed of as abated.

4. List SA No.11/2011 for the final hearing as per its turn.

BHARAT P. DESHPANDE, J.