

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

SUIT NO.566 OF 2007

Ramzanali Aziz GheewallaPlaintiff

V/s.

Mohammadali Aziz Gheewalla & Ors.Defendant

None for the plaintiff.

Mr. Z.A. Jariwala a/w Mr. Rajendra Jain i/b. M/s. Thakore Jariwala & Associates for the defendant no.1.

**CORAM : K.R.SHRIRAM,J
DATE : 12th October, 2015**

P.C.:-

1 On 11th September, 2014 the issues were framed and the plaintiff was directed to file his list of witnesses together with affidavit in lieu of examination in chief of the first witness and compilation of documents and serve a copy thereof upon the defendants by 25th October, 2014. On 10th November, 2014, the counsel for the plaintiff informed the court that the plaintiff is based in USA and is seriously unwell and the plaintiff has been advised bed-rest and cannot travel for atleast six months. The matter was then stood over to 1st July, 2015 for directions. It appears that the plaintiff has not taken any steps to comply with the directions passed in paragraph 2 of the order dated 11th September, 2014.

2 The counsel for the defendant no.1 states that the plaintiff expired on 26th April, 2015 and he has been informed that the plaintiff's legal heirs are not inclined to prosecute the suit any further.

3 Be that as it may, since no steps has been taken by the plaintiff to comply with the directions passed on 11th September, 2014 and time extended on 10th November, 2014, the suit stands dismissed for want of prosecution.

(K.R.SHRIRAM,J)

CERTIFICATE

**Certified to be true and correct copy of the original
signed Judgment/Order.**