

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

***APPEAL FROM ORDER NO.956 OF 2014
WITH
CIVIL APPLICATION NO.1162 OF 2014
IN
APPEAL FROM ORDER NO.956 OF 2014***

Mrs. Gayatri Kesharwani

..Appellant

Vs.

Anil Kumar Kushwaha

..Respondent

....

None for the appellant .
None for the respondent.

....

***CORAM : N.M. JAMDAR, J.
DATED : 22 MARCH 2016***

P.C.:

. The appellant challenges the order passed by the City Civil Court dated 16 January 2014.

2. Notice of Motion No.106/2014 in L.C. Suit No.34/2014 was filed by the appellant/plaintiff in respect of a movie film to be released on 10 January 2014 . In the suit, a notice of motion was taken out seeking to restrain the respondent from releasing or exhibiting the said film. Appeal was filed with delay which was condoned. Thereafter the appeal was adjourned at the request of the appellant and is pending since then, with no ad-interim order.

3. When the matter is called out, none appeared, perhaps because the appeal has become infructuous. Accordingly the appeal is dismissed for non-prosecution. In view of dismissal of appeal, Civil Application does not survive and is accordingly disposed of.

4. If the appellant seeks restoration, the appellant will demonstrate how the appeal survives.

(N.M. JAMDAR, J.)