

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 3067 OF 2002
IN
FIRST APPEAL NO. 1042 OF 2002

1. Sardesai Irrigation Private Limited
and anr.

.....Applicant/Appellants
(Original Defendants)

V/s.

1. Kirloskar Proprietary Limited & Ors.

.....Respondents
(Original Plaintiffs)

* * * * *

Mr. Swapnil Gupte i/by. M/s. Hariani & Co., Advocate for the applicant.
Ms. Karishma Shirke i/by. Gordhandas & Fozdar, Advocate for the
respondent.

Coram :- Smt. R.P. SondurBaldota, J.

22nd April, 2016.

P.C. :-

1). This Civil Application for stay of the impugned judgment and decree has been pending since the year 2002 without any ad-interim relief. Identical application filed by the respondents in their cross appeal was dismissed by the order dated 12th February, 2016 on the ground that there was no reason to entertain the same after the lapse of 13 years as there was no ad-interim relief granted in the year 2002. Since the present Civil Application has also been similarly pending for the last 13 years, there cannot be a different order thereon. The same is liable to be dismissed as having become infructuous. The Civil Application is accordingly dismissed.

(SMT. R.P. SONDURBALDOTA, J)