

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.380 OF 2016
IN
APPEAL FROM ORDER NO.834 OF 2015
IN
NOTICE OF MOTION NO.4417 OF 2007
IN
B.C.C.C. SUIT NO.6277 OF 2005

Ashit Manordas Mehta	 Applicant
<i>In the matter of</i>	
Meena Nitin Mehta	 Appellant
V/s.	
Padmavati Manordas Mehta (Since Deceased),	
Through LRs :-	
Jayshree Suketu Valia & Ors.	 Respondents

Ms. Priyanka Bhanushali, h/f. Mr. K.R. Parekh, for the Applicant.

Mr. R.G. Lad, i/by Mr. R.V. Govilkar, for the Respondent-Original Appellant.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 28TH SEPTEMBER 2016.

P.C. :

1. The office note shows that, as per the order passed by this Court on 26th August 2016, learned counsel for the applicant has undertaken to file affidavit-of-service within two weeks. However, no such affidavit-of-service is filed. Conversely, according to the office note, respondent No.1(c) has already expired on 24th September 2012.

2. In view thereof, the learned counsel for the applicant is directed to take necessary steps within a period of three weeks from today, failing which this Civil Application will stand dismissed for default.

3. In the event, the necessary steps are taken by learned counsel for the applicant to bring on record legal heirs of deceased respondent No.1(c) within the stipulated time, this Civil Application be placed for hearing on 19th October 2016.

[DR. SHALINI PHANSALKAR-JOSHI, J.]