

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1296 OF 2015
IN
FIRST APPEAL NO. 710 OF 2003

M/s. Marques & Co. & Ors

.....Applicants
(Orig. Respondents)

V/s.
Mr. David Swamy

.....Respondent
(Orig. Appellant)

* * * * *

Mr. Sandip A. Shah, Advocate for the applicant in CAF -1296-2015 and for respondents no.1 to 3 in FA-710-2003.

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

18th March, 2016.

P.C. :-

1). This Civil Application is taken out for disposal of the First Appeal on the ground that the same stands abated in view of death of the appellant on 28th October, 2009. The death certificate in respect of the appellant is annexed to the Civil Application. The Civil Application is by respondents no.1, 2 and 3 who are the original plaintiffs and decree holders. In view of death of the sole appellant, the appeal stands abated. The Civil Application is therefore allowed. The appeal is disposed off as having been abated.

(SMT. R.P. SONDURBALDOTA, J)