

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 2472 OF 2002
IN
FIRST APPEAL (ST) NO. 12605 OF 2000

Smt. Anisa Nazir Shaikh and anr. .. Applicants
vs.
Popat N. Lingade and ors. .. Respondents

Mr. N.Pujari i/b Mr. P.N. Noshi for the Applicants.

CORAM : M. S. SONAK, J.
DATE : 09 JANUARY 2017.

P.C. :-

1] Respondent No.1 has expired. Civil Application No. 766 of 2007 was taken out for bringing on record the legal representatives of respondent No.1. The same stands dismissed for non-prosecution by this court's order dated 12 September 2011. Respondent No.3 has also not been served.

2] In the aforesaid circumstances, nothing really survives in this matter and therefore, civil application and consequently, the first appeal are hereby disposed of.

3] This will not preclude the applicants from taking out appropriate application seeking restoration. Such application will have to be accompanied by application seeking condonation of delay. This is because even the civil application seeking for leave to bring on record the legal representatives of deceased respondent No.1 stand dismissed almost five year ago.

(M. S. SONAK, J.)