

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

**CIVIL APPLICATION NO.2805 OF 1999
IN
FIRST APPEAL (ST) NO.15817 OF 1997**

Maharashtra State Road Transport
Corporation

..Applicant/Appellant

V/s.

Smt.Alka Dagadu Dabekar & Ors.

..Respondents

Mr.C.M. Lokesh i/by Mr.G.S. Hegde for the Appellant/Applicant.

CORAM : M. S. SONAK, J.

DATE : 06 FEBRUARY 2017.

P.C.

1. On 04 January 2017 this Court made the following
order:-

1. The appeal is of the year 1997. Till date, no service is effected upon the respondents. As a last chance, four weeks time is granted to the applicants to effect service upon the respondents. For this purpose, fresh notices are issued to the respondents. The applicants to take steps for service of such notices within a period of one week from today In addition to the notice to be issued by the registry, the applicants are permitted to effect private service upon the respondents and file affidavit of service.

2. Place the matter on 06 February 2017 on

supplementary board, irrespective of whether or not any service is effected or not upon the respondents.

3. It is mater clear that in case no steps are taken or service is effected upon the unserved respondents, this court will have no option than to dismiss the matter for non-prosecution.”

2. Today, when the matter is called out, it is clear that no steps have been taken to effect service upon the unserved respondents. This is an appeal which relates to the year 1997. The appeal itself was instituted beyond the prescribed period of limitation. In such circumstances, no further indulgence can be granted in the matter.

3. The Civil Application and consequently the appeal are therefore dismissed for non-prosecution. Interim order, if any, stands vacated.

(M. S. SONAK, J.)