

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 2784 OF 2002
AND
CIVIL APPLICATION NO. 2785 OF 2002
IN
FIRST APPEAL (ST) 44726 OF 2001

New India Assurance Company Limited .. Applicants

vs.

Smt. Sittavva H. Hebballi and ors. .. Respondents

None present for both sides.

CORAM : M. S. SONAK, J.

DATE : 10 JANUARY 2017.

P.C. :-

1] On 11 January 2011, this Court made the following order:

“1. Rule is not served on the respondent. The applicant is therefore directed to take steps for service of the Rule on the respondent within a week. If steps are taken, Rule is made returnable after 6 weeks. If steps are not taken within a week, Rule shall stand discharged and the application shall stand dismissed without further reference to the Court.”

2] Thereafter, the Registry by order dated 23 February 2011 records that none was present on behalf of the applicant, but an order was made to await service. Thereafter, on 28 March 2011, two weeks time was granted to take steps.

3] On 25 November 2016, it is recorded that notice to respondent No.1 has been returned unserved.

4] Today, when the matter is called out, neither the applicants nor their advocate is present. Accordingly, Civil Application No. 2784 of 2002 and the consequently, First Appeal (ST) No. 44726 of 2001 and Civil Application No. 2785 of 2002 are dismissed. The interim order, if any, stand vacated.

(M. S. SONAK, J.)