

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 359 OF 2009
IN
FIRST APPEAL (STAMP) NO. 49239 OF 2002

Pune Municipal Corporation .. Applicant / Appellant
vs.
The Special Land Acquisition
No. 15, Pune & Ors. .. Respondents

None for Applicant / Appellant.
Mr. Yogesh Dabke – AGP for Respondents.

CORAM : M. S. SONAK, J.
DATE : 16 MARCH 2017

P.C :

1] On 27 February 2017, this court made the following order:

“ Mr. Kulkarni, who usually appears for the Pune Municipal Corporation takes a notice and submits that he will obtain necessary instructions from Pune Municipal Corporation with regard to conducting the matter. He has a request that the matter may be adjourned for two weeks in order to take instructions in the matter.

2 At his request, therefore, the matter is adjourned to 16 March, 2017. Place the matter on supplementary board.”

2] The Registry remark states that respondent no. 2 has expired. No steps are taken to bring on record legal representatives of respondent no. 2.

3] Today, when the matter is called out, neither any representative of the applicant nor Advocate Kulkarni is present.

4] The matter relates to the year 2002. There is an application for condonation of delay of over one year which is yet to be disposed of. It is not clear as to whether service has been effected upon all the respondents. Mr. Dabke appears for the State Government i.e. respondent no. 1. However, what is important is the service upon the parties whose lands have been acquired.

5] It is not possible to grant any further indulgence. Accordingly, the civil application and consequently the appeal itself is dismissed for non prosecution. Interim order, if any, is vacated.

(M. S. SONAK, J.)

Chandka