

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**CIVIL APPLICATION NO. 1403 OF 2014**  
**IN**  
**FIRST APPEAL (ST) NO. 9825 OF 2014**  
**WITH**  
**FIRST APPEAL (ST) NO. 9825 OF 2014**  
**AND**  
**CIVIL APPLICATION NO. 1404 OF 2014**

Panchabhai Veera Uka & Ors

...Appellants

*Versus*

Gautam Builders & Ors

...Respondents

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**None for the Appellants.**

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**CORAM: G.S. PATEL, J**

**DATED: 11th July 2017**

**PC:-**

1. None for the Appellants. There is a delay of 376 days in filing the First Appeal. The Civil Application is pending since 2014 so is the First Appeal.

2. These matters were notified well in advance precisely because of the considerable pendency of such Civil Applications and Appeals.
3. Respondent No.s 2 has not been properly served. There is no leave note from the Advocate for the Appellant.
4. The Civil Application seeking condonation of delay (1403 of 2014) is dismissed. No costs.
5. Consequently the First Appeal is dismissed.
6. As a result, Civil Application No. 1404 of 2014 seeking stay does not survive and is disposed of as infructuous.

**(G. S. PATEL, J)**