

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

**CIVIL APPLICATION NO.4217 OF 2004
IN
FIRST APPEAL (ST) NO.17236 OF 2004**

Ikhlaque Ahmed Shahali	...Applicant/Appellant
<i>Versus</i>	
Baf-Hira Builders Pvt. Ltd. & Anr.	...Respondents

Mr.Javeed Hussain for the Applicant/Appellant.	

CORAM : M. S. SONAK, J.

DATE : 27 MARCH 2017

P.C.

1. This Court on 04 August 2007, made the following order :-

- “1. All these matters are under the caption of “UNSERVED NOTICE”.*
- 2. Parties to take steps for serving notices. Private service if no already issued, is also permitted. Affidavit of service if respondents/defendants are served, may be filed. Ad-interim orders if any, to continue for a period of further four weeks.*
- 3. The matters stand dismissed without reference to Court's order if above compliances are not made as notified.”*

2. Since, the last 10 years, there is no compliance with the directions contended in the order dated 04-08-2007. Noting put up by the Registry on 27-03-2017 confirms the position that the Advocate for the appellant has not even filed the affidavit of service.

3. Since, the order dated 04 August 2007 was a self operative order, this appeal stands dismissed as on 04 September 2007.

4. The Civil Application was seeking condonation of delay and since the same stands dismissed, the appeal also does not survive and is also disposed of.

5. The other Civil Applications are in this appeal also do not survive and the same are also disposed of.

(M. S. SONAK, J.)