

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**SECOND APPEAL NO.199 OF 1995
WITH
CIVIL APPLICATION NO.2849 OF 1995
IN
SECOND APPEAL NO.199 OF 1995**

Smt. Kashibai Keshav Chalke & Ors.

...Appellants

vs.

Yashwant Balwant Karekar & Anr.

...Respondents

....

None for the Appellants.

None for the Respondents.

.....

CORAM : S.C. GUPTE, J.

DATED : 13 FEBRUARY 2017

P.C. :

. This matter was called out in the morning session when none appeared for the parties. The matter was, accordingly, kept back and called out in the afternoon session. Even in the afternoon session, none appears for the parties.

2. The appeals for hearing are listed on a weekly board so that the parties and their advocates have an adequate notice of the scheduled hearing. There is also a note displayed on the board that no adjournments would be granted in hearing matters. This for the reason that these matters are very old. The present appeal is of the year 1995. A default in appearance, even after the matter was kept back and called

out in the afternoon session, in the premises, must invite an order of dismissal.

3. By an order passed by Additional Registrar (Judicial-I), the Second Appeal has already been dismissed for want of prosecution as against Respondent Nos. 2, 3 and 5. The Second Appeal is, accordingly, dismissed even as against Respondent Nos. 1 and 4.

4. In view of the dismissal of the Second Appeal, the Civil Application does not survive and the same is also disposed of.

(S.C. GUPTE, J.)