

FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL (STAMP) NO. 41338 OF 2000
WITH
CIVIL APPLICATION NO. 9071 OF 2000
IN
FIRST APPEAL (STAMP) NO. 41338 OF 2000

Vijay Swami versus Municipal Corporation of Gr. Bombay

Office Notes, Office
memorandum of Coram,
appearance, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

None for Applicant / Appellant.

Ms M. M. More for Respondent – MCGM.

CORAM : M. S. SONAK, J.
DATE: 10 JANUARY 2017

P.C. :-

1] The challenge in this appeal is to the decree dated 29 September 2000, by which the learned City Civil Court has dismissed the suit, inter alia as being premature.

2] Though, this appeal was instituted some time in the year 2000, service was effected upon the Municipal Corporation until some time in 2011 or thereabouts.

3] Today, when the matter is called out for admission, neither the appellant nor his Advocates are present despite

the fact that the matter was duly notified on the cause list.

4] In the aforesaid circumstances, it is reasonable to presume that the appellant is no longer interested in pursuing this appeal. Accordingly, this appeal is dismissed for non prosecution.

5] In view of dismissal of appeal, civil application does not survive and is disposed of accordingly.

(M. S. SONAK, J.)

Chandka