

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 714 OF 1996
AND
FIRST APPEAL NOS. 715, 716, 720, 722 & 723 OF 1996

M/s. L. K. Builders .. Appellants.

vs.

The Municipal Corporation
of Greater Bombay and ors. .. Respondents.

None for the Appellants.

Ms M.R. Bhoir for the Respondent- MCGM.

CORAM : M. S. SONAK, J.

DATE : 27 MARCH 2017.

P.C. :-

1] The challenge in all these matters is to the common judgment and decree dated 15 December 1995 made in several Municipal Appeals, which were instituted in the year 1997.

2] The common judgment and order dated 15 December 1995 was also challenged in First Appeal Nos.718 and 719 of 1996. The said two appeals have been dismissed for non-prosecution on 30 January 2017 and 20 March 2017 respectively.

3] Today, when these appeals are called out, neither the appellants nor their advocates are present, though the matters were duly notified on the cause list. These matters are pending since the year 1996. Accordingly, no further indulgence can be granted to the appellants.

4] These appeals are, therefore, dismissed for non-prosecution. The civil applications, if any, do not survive and the same are also disposed of. The interim orders, if any, stand vacated.

5] Despite directions in the order dated 20 March 2017 in Civil Application No. 3300 of 1996 in First Appeal No. 719 of 1996, Registry has not placed on board the first appeals, i.e., First Appeal Nos. 717 and 721 of 1996.

6] In the order dated 20 March 2017 in Civil Application No. 3300 of 1996 in First Appeal No. 719 of 1996, reference was made to First Appeal No. 65 of 1996. However, it is pointed out that First Appeal No. 65 of 1996 does not relate to challenge the common judgment and decree dated 15 December 1995. The correct number of the first appeal is First Appeal No. 695 of 1996. Accordingly, in paragraphs 2 and 6 of the said order, First Appeal No. 65 of 1996 to be substituted by “**First Appeal No. 695 of 1996**”. Necessary corrections to be carried out in the original order as well as in the order uploaded on web-site.

7] Registry is directed to place First Appeal Nos. 695, 717 and 721 of 1996 on 31 March 2017 on supplementary board (High on Board).

(M. S. SONAK, J.)