

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 9700 OF 1999
IN
FIRST APPEAL (STAMP) NO. 41041 OF 1999

The National Insurance Company Ltd. .. Applicant/Appellant
VS.

Gulam Mohammad Saheblal Attar & Anr. .. Respondents

None for Applicant / Appellant.

None for Respondents.

CORAM : M. S. SONAK, J.
DATE : 06 MARCH 2017

P.C :

1] None for the applicant / appellant. The delay in institution of this appeal is only of 12 days. The notice has been served upon respondent no. 1. On 11 January 2011, the appellant was granted six weeks time to take steps to serve respondent no. 2. However, since no steps were taken, the appeal stands dismissed as against respondent no. 2.

2] Today, when the matter is called out, neither the applicants nor their Advocates are present in the court. The appeal is of the year 1999. It is possible that on the basis of pendency of this appeal, the claimants have been derived of the compensation awarded to them by the MACT. In these circumstances, no further indulgence can be granted in this matter. Accordingly, the civil application and consequently the appeal itself, is dismissed for non prosecution. Interim order, if any, is hereby vacated.