

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

**APPEAL FROM ORDER NO.801 OF 2014
WITH
CIVIL APPLICATION NO.962 OF 2014
IN
APPEAL FROM ORDER NO.801 OF 2014**

Gokran Co-operative Housing So. Ltd.

..Appellant
(Org.Plaintiff)

V/s.

Bank of Baroda Employee's
Co-operative Housing So. Ltd.

..Respondent
(Org.Defendant)

None for the Appellant.

Mr.Abhijeet Singh for the Respondent

CORAM : M. S. SONAK, J.

DATE : 06 JANUARY 2017.

P.C.

1. Mr.Abhijeet Singh learned counsel for the respondent submits that the challenge in this appeal was to the refusal on the part of the learned Trial Judge to grant ad-interim relief.

2. He points out that on 14-09-2016, the Notice of Motion No.1719 of 2014, taken out by the appellants before

the Trial Court has itself been dismissed for non-prosecution.

3. In view of the aforesaid, this appeal is rendered infructuous and therefore dismissed. In any case it must be noted that neither the appellants nor their advocates are present today and even otherwise this appeal is liable to be dismissed for non-prosecution.

4. For both the reasons this appeal is dismissed. Ad-interim order, if any, stands vacated.

(M. S. SONAK, J.)