

Rane (sr.69)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application in SA NO. 202 OF 2016
IN
Second Appeal (ST) NO. 22091 OF 2015

Revansiddha Maleshappa Kudari	..Appellant
<i>Versus</i>	
Maleshappa Kallappa Kudari And Ors.	...Respondents

None for the Applicant, Appellant.

CORAM: N.M. JAMDAR, J

DATED: 21st April, 2017

PC:-

. The delay in filing the Second Appeal is of 11 years and 142 days. Respondents no.1, 3 and 7 have expired. Time was taken to take necessary steps as against respondents no.1, 3 and 7. No steps have been taken.

2 None appears for the Applicant. The Applicant is the original plaintiff who had filed a suit for mandatory injunction against the Respondents in the year 1992, which was dismissed. Thereafter, the

Appeal was disposed off by the Learned District Judge on 30th November, 2003.

3 For the delay of 11 years and 142 days, which is on the face of it gross, cogent reasons have to be given. The Application is bereft of any particulars. It is stated that, a complaint was pending before the Labour Court. If the Applicant could prosecute proceedings in one Court, nothing stopped the Applicant from prosecuting the proceedings in this Court. Even assuming this reason existed, it cannot justify delay of 11 years and 142 days.

4 The Civil Application therefore cannot be entertained and is accordingly rejected.

(N.M. JAMDAR,J.)