

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 1002 OF 2014
WITH
CIVIL APPLICATION NO. 1217 OF 2014

Prasad Kulkarni	..	Appellant
vs.		
The Mumbai Municipal Corporation & Anr.	..	Respondents

None for Appellant.
Ms M. M. More for Respondents – MCGM.

CORAM : M. S. SONAK, J.
DATE: 01 FEBRUARY 2017

P.C :

1] This appeal challenges order dated 30 July 2014, by which the appellant's notice of motion came to be dismissed. There is no ad interim relief granted in this appeal.

2] Today, when the matter is called out, neither the appellant nor his Advocate are present. Ms More, learned counsel appearing for the MCGM submits that no notice has been served upon the MCGM and in any case she does not have the copy of the appeal memo.

3] The suit is itself of the year 2014 and it is expected that the same must have progressed substantially upto now. This is possibly the reason why neither the appellant nor his Advocates are present in this Court.

4] For the aforesaid reasons, this appeal is disposed of for non prosecution. However, it is clarified that the learned trial Judge whilst disposing of the suit shall not be influenced by any of the observations in the impugned order or the circumstance that such order was not interfered with by this court.

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

6] All parties to act on basis of authenticated copy of this order.

(M. S. SONAK, J.)

Chandka