

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 103 OF 2017
IN
FIRST APPEAL NO. 1014 OF 2007

Smt. Hemlata S. Karnawat & Ors. ..Applicants/Appellants
VS.
Dhondiba R. More & Ors. ..Respondents

Mr. Sachin Gite for Applicants / Appellants.
Ms Poonam Mital for Respondent No. 3.

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

P.C :

- 1] Heard the learned counsel for the parties.
- 2] On 25 June 2009, this court made the following order :

“1. The petitioner (s) / appellant (s) / applicant (s) to take steps to serve upon the unserved respondents within ten weeks from today (including Advocate's notice wherever permitted) and to file affidavit-of-service before that date, failing which concerned First Appeals / Second Appeals / Applications to stand dismissed for non prosecution, without further reference to the Court. Wherever ad-interim orders are already granted, the same will be continued till the next date.”

- 3] Till today, since no steps have been taken, the appeal, already stands dismissed by virtue of the aforesaid conditional order. Since the appeal is dismissed, civil application, which seek restoration only qua certain respondents will obviously not survive. Civil application is also dismissed. Interim order, if any, stands vacated.

(M. S. SONAK, J.)