

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

APPEAL FROM ORDER NO.1074 OF 2012

Mukund K. Mehta

..Appellant
(Org. Defendant)

V/s.

Evergreen Tenants Co-operative
Housing Society Ltd.

..Respondent
(Org. Plaintiffs)

None for the Appellant.

Ms.Usha Trivedi for the Respondent.

CORAM : M. S. SONAK, J.

DATE : 05 JANUARY 2017.

P.C.

1. This appeal was dismissed for default on 18 June 2015 as neither the appellant nor his advocate is present. However, the same was restored on 04-01-2016.

2. Even today, when the matter is called out, neither the appellant nor his advocate is present. The learned counsel for the respondent is present she points out that even on the previous occasion this appeal had been dismissed for default. Accordingly, this appeal is dismissed for non-prosecution. Interim order, if any, stands vacated.

(M. S. SONAK, J.)