

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 575 OF 2018

IN

FIRST APPEAL NO. 1061 OF 2017

Shri Chandrakant D. Tapkir ..Applicant

IN THE MATTER BETWEEN

Shri. Chandrakant T. Landge ..Appellant

Vs.

Shri. Chandrakant Tapkir and Another ..Respondents

None for the Applicant.

CORAM:-K. K. TATED & B. P. COLABAWALLA,JJ.

DATE :- AUGUST 14, 2018.

P. C.:

Heard. This Civil Application has been filed by the Original

Respondent No.1 seeking the following prayers:-

“a. The Hon'ble court may be pleased to adjudicate the issue of jurisdiction of this Hon'ble Court to entertain the First Appeal no.1061of 2017.

b.The Hon'ble Court may be pleased to dismiss the First Appeal no. 1061 of 2017;

c. The Hon'ble Court may be pleased to award the costs throughout in favour of the Applicant;

d.The Hon'ble court may be pleased to pass any other or such further orders direction or relief as it may deem fit and proper to this Hon'ble court in the facts and circumstances involved

herein.”

2 Today when the matter was called out, none appeared on behalf of the Original Respondent No.1-the Applicant herein. In any event looking at the prayers sought in the Civil Application, it is clear that the same can never been granted at this stage, especially, when the First Appeal has already been admitted by this Court on 17th November, 2017.

3 In these circumstances, the Civil Application is dismissed for nonprosecution. No order as to costs.

(B. P. COLABAWALLA, J.)

(K. K. TATED, J.)