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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER No. 753 OF 2015
WITH
CIVIL APPLICATION No. 913 OF 2015
WITH
CIVIL APPLICATION No. 26 OF 2017

Karuna Shakar Ramshankar Mishra ... Appellant
Vs.
Anandji Padamshi Shah @ Veera & Anr. ... Respondents

Mr. Rakesh Gupta a/w Subhash G. Bane, for the Appellant.

Mr. D. Banerji I/b Zahir H. Zaidy, for the Respondent No. 1.

CORAM : V. M. DESHPANDE, J.

DATE : JUNE 25, 2018

PC :-

1. Civil Application No. 26 of 2017 is taken out for brining names of legal representatives of Appellant – Karuna Shankar Ramshankar Mishra on record, who expired on 2nd August, 2016. Death certificate is filed on record alongwith the civil application.

2. Appeal from order is filed against the judgment and order dated 9th May, 2015 whereby the learned Court had

rejected ad-relief relief in favour of the original plaintiff.

3. Heard the learned counsel for the Applicants in the civil application, who are the legal representatives of Appellant Karuna Shankar Ramshankar Mishra, and the learned counsel for the Respondents. He submits that appeal has rendered infructuous as the notice of motion for injunction is dismissed by the learned Judge on 18.10.2016 for want of prosecution in view of death of original plaintiff Karuna Shankar Ramshankar Mishra. He placed on record copy of the order dated 18.10.2016, available on the website, which is taken on record and marked as "Document X" for the purpose of identification. In addition to that, statement of the learned counsel for the Respondents is recorded and accepted to the effect that injunction application in the Suit No. 3221 of 2014 is dismissed. In the result appeal is disposed of as rendered infructuous. Pending civil applications in the appeal do not survive and are accordingly disposed of.

Sd/-
[V. M. DESHPANDE, J.]

Vinayak Halemath