

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.787 OF 2016
ALONG WITH
CIVIL APPLICATION NO.992 OF 2016

Sugra Taqdeer Abdul Hussain & Ors. Appellants-Applicants
V/s.
Mohamed Hussain Mahomed Ali
Mojernama Haideri Iranian and Ors. Respondents

None present for the Appellants-Applicants.

Mr. Mohamed Hussain, Son of Respondent No.2, is present.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 4TH FEBRUARY, 2019.

P.C. :

1. None present for the Appellants-Applicants.
2. Mr. Mohamed Hussain, Son of Respondent No.2 herein, who is Original Defendant No.1, is present in person and submits that, the Suit has already been abated in the year 2009 and, accordingly, dismissed on 30th June 2018. In support of his submissions, he has also tendered a photocopy of the order dated 30th June 2018 passed by the Trial Court in Suit No.1474 of 1991, which is taken on record and marked as 'Annexure-A' for the purpose of identification.
3. In view thereof, this Appeal, along with Civil Application thereto, having become infructuous, stands dismissed.

[DR. SHALINI PHANSALKAR-JOSHI, J.]