

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**SECOND APPEAL NO. 122 OF 2015  
ALONGWITH  
CIVIL APPLICATION NO. 245 OF 2015**

Philip Duming Sil

....Appellant

V/s.

Duming Philip Sil

Since deceased through LRs

....Respondents

\* \* \* \*

None for the appellant.

Mr. A.J. Almeida, Advocate for the respondent.

**CORAM : SANDEEP K. SHINDE, J.**

**Wednesday, 13<sup>th</sup> February, 2019.**

**P.C. :**

1. Perused the orders dated 16<sup>th</sup> April 2016, 13<sup>th</sup> June 2016 and 31<sup>st</sup> January, 2017. On these dates, the appellant was absent throughout. Today also, the appellant is absent. The Counsel for the respondent is present. The Appeal is

therefore dismissed for non-prosecution.

2. In view of dismissal of the Appeal, Civil Application No. 245 of 2015 taken out for stay does not survive. The same is accordingly disposed of.

**(SANDEEP K. SHINDE, J)**