

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.**

APPEAL NO.919 OF 2002

Shekhar Modi ... Appellant

Vs

Union Bank of India & ors. ... Respondents

with

APPEAL NO.366 OF 2004

Shekhar Modi ... Appellant

Vs

Union Bank of India & Ors. ... Respondents

None for the Appellant

Ms.Kavita Shah for Respondent No.2 in APP/919/2012 and for
Resp. No.6 in APP/366/2004

Mr.Shivkumar, Dy.Official Assignee - present

**CORAM: AKIL KURESHI &
S.J. KATHAWALLA, JJ.**

DATED: AUGUST 29, 2019

P.C.:

1. On 30.8.2016, the above appeals were dismissed for want of prosecution since none appeared for the appellant. The said order

of dismissal was recalled by order dated 6.10.2016 passed in Notice of Motion (L) No.2845 of 2016. Thereafter, by order dated 5.6.2017, the matter was adjourned to 14.6.2017 with a direction that the same should be placed high on board and shall be shown as part-heard. It was also recorded that no further adjournment will be granted. Again, on 9.10.2017, none appeared for the appellant in the above appeals. On 15.11.2017, the appellant filed an application seeking adjournment upto the end of January, 2018 to appoint a new advocate. Thereafter, the appellant appeared in person on 11.12.2017, 26.11.2018 and 18.12.2018 and sought time to appoint an advocate on his behalf. Today, when the matters are called out, the appellant has not even bothered to remain present.

2. The appeals are, therefore, dismissed for want of prosecution.

(S.J. KATHAWALLA, J.)

(AKIL KURESHI, J.)