

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 297 OF 2013

IN

NOTICE OF MOTION NO. 3501 OF 2011

Paresh C. Parekh

...Appellant

Versus

Kamlesh C. Parekh & ors.

...Respondents

Mr. T. R. Yadav, for the Appellant.

Ms. Rashmi Khandekar, a/w Jinal Gogri, I/b Negandhi Shah
& Hiayattulah, for the Respondents.

CORAM: R. M. BORDE &

N. J. JAMADAR, JJ

DATED: 1st AUGUST, 2019

PC:-

1. On 10th June, 2019, the daughter of the appellant in-person appeared before the Court and sought an adjournment. Considering her request, the matter was adjourned. It is recorded in the said order that, in the meantime, the party in-person shall make alternate arrangement to work out the matter and in the event of failure of the appellant to work out the matter on the adjourned date, the same will be dismissed for want of prosecution.

2. The appeal was adjourned to 24th June, 2019. The matter was again listed on 8th July, 2019 and at the request

of the learned Counsel for the appellant, the matter was adjourned to 10th July, 2019. On 10th July, 2019, at the request of the learned Counsel for the appellant, the same is adjourned to 18th July, 2019.

3. The matter was listed before us on 23rd July, 2019. The same is directed to be listed on 1st August, 2019 i.e. today, at the request of the learned Counsel for the appellant. Today, again adjournment is sought on the ground of the unavailability of the Counsel of the appellant.

4. Considering the sequence of events recorded above, we are not inclined to grant adjournment. The appeal stands dismissed for want of prosecution.

5. In view of dismissal of the appeal, the Notice of Motion does not survive and stands disposed of.

[N. J. JAMADAR, J.]

[R. M. BORDE, J.]