

Sharayu Khot.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

EXECUTION APPLICATION NO. 116 OF 2012

Kantilal Bastimal Jodhavat

...Applicant

Versus

Kiran H. Joshi

...Respondent

Mr. Ramesh Jain, for the Applicant/Plaintiff (at 3.00 p.m.)
(No R & P)

CORAM : R.I. CHAGLA J.
DATE : 26 August 2019

ORDER :

1. This Execution Application has not been proceeded with for a period of over 12 months from the date of filing of this Application and has been placed by the Prothonotary and Senior Master under Rule 329 of the Bombay High Court Original Side Rules before this Court for dismissal for want of prosecution.

2. As none appears for the Applicant, the Execution Application is dismissed with no order as to costs.

At 3.00 p.m.:

3. The learned Counsel for the Plaintiff/Applicant states that the Execution Application will no longer survive on account of the Insolvency Petition filed in respect of the Defendant/Respondent having been allowed by this Court and the Respondent being adjusted as an insolvent.

4. The Execution Application is accordingly disposed of.

[R.I. CHAGLA J.]