

Santosh

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 2836 OF 2021
IN
FIRST APPEAL NO. 1724 OF 2011**

SANTOSH
SUBHASH
KULKARNI

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Neville Ignatius Gomes	...Applicant
In the matter between	
Cletus Ignatius Gomes & ors.	...Appellants
Versus	
Neville Ignatius Gomes & ors.	...Respondents

Mr. Tejas D. Deshmukh, for the Applicant/Respondent in IA.
None for the Respondents/Appellants in IA.
Mr. Sandesh Deshpande, for Respondent no.4 in FA.

CORAM: N. J. JAMADAR, J.

DATED : 11th OCTOBER, 2021

PC:-

1. None appears for the appellants.
2. This application is preferred to dismiss the appeal for non-prosecution, and, in the alternative, to fix an early date of hearing of the appeal.
3. Mr. Deshmukh, the learned Counsel for the applicant has invited the attention of the Court to a number of orders passed by this Court directing the listing of the appeal for hearing and final disposal.
4. Mr. Deshmukh informs the Court that the hearing could not be completed as the appellants have not been appearing.

5. It seems that on 21st September, 2011, itself, while admitting the appeal, the hearing was expedited, having regard to the age of the parties.
6. Several orders have been passed, to list the matter for final hearing.
7. In the circumstances, the application deserves to be allowed in terms of prayer clause (c).
8. The appeal be listed for final hearing on 18th November, 2021.
9. Application stands disposed of.

[N. J. JAMADAR, J.]