

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

**FIRST APPEAL (STAMP) NO.38535 OF 2001
WITH
CIVIL APPLICATION NO.134 OF 2022
WITH
CIVIL APPLICATION NO.135 OF 2022
WITH
CIVIL APPLICATION NO.3374 OF 2005
IN
FIRST APPEAL (STAMP) NO.38535 OF 2001**

Mrs. Jankibai Narayan Pawar and Ors. ...Appellants

Versus

Urmila Suryakant Dalal ...Respondent

...

Mr. Fraddy Bhadha i/b. Mr. V.S. Kapse for the Appellants.

Mr. Enait Shaikh i/b. Mr. Bhagwat for the Respondent.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 29th JUNE, 2022.

P. C. :-

1. The Appellants have filed the appeal along with application to condone the delay of 1 year and 15 days. By the impugned judgment, the Respondents were directed to hand over vacant possession of the suit premises. On 22/06/2022 learned counsel for the Appellant had made a statement that the Appellants have already vacated the suit premises and that nothing survives in this appeal. He had sought time to take necessary instructions for withdrawal of

appeal.

2. Learned counsel for the Appellants states that he has not received any instructions from the Appellants and that the Appellants are no longer residing at the present address and their present whereabouts are not known.

3. It appears that the Appellants are not interested in pursuing the appeal and application. Hence, the delay condonation application along with the appeal, stand dismissed for non prosecution.

4. Civil /Interim application (s) if any, stand (s) disposed of in view of dismissal of the delay condonation application.

(SMT. ANUJA PRABHUDESSAI, J.)