

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO.309 OF 2012

AYUBKHAN KARIMKHAN PATHAN)...APPLICANT

V/s.

HAJI A. RASHID FARIDSAB PAGA AND ORS.)...RESPONDENTS

Ms.Shivani Shinde h/f. Mr.Surel Shah, Advocate for the Applicant.

Mr.R.S.Alange, Advocate for the Respondents.

CORAM : ABHAY AHUJA, J.

DATE : 22nd JUNE 2023

PC. :

1. On 8th June 2023, the following order was passed :

“1. On 3rd April, 2023, the following order came to be passed when last chance was granted to take necessary steps:-

“1. Heard learned counsel for the applicant and learned counsel for the respondents.

2. Learned counsel for the respondents submits that the applicant has expired in the year 2020. Since, then the learned counsel for the applicant has not taken steps. Hence, requested to pass appropriate order.

3. Learned counsel for the applicant seeks time to take necessary steps as a last chance.

4. Considering his request last chance is given to the applicant to take appropriate steps.

5. Stand over 19/04/2023.”

2. On 19th April, 2023 once again time was sought and a final chance was granted. The following order was passed on 19th April, 2023:-

“1. Heard learned counsel for the applicant and learned counsel for respondent Nos. 1 and 2.

2. Learned counsel for the applicant seeks time to take necessary steps as a last chance. Learned counsel for respondent Nos.1 and 2 strongly objected to adjourn the matter on the ground that sufficient chances are given to the applicant to take steps, inspite of that the applicant failed to take steps. Hence, requested to pass appropriate orders.

3. Considering the request of learned counsel for the applicant, final chance is given to the applicant to take steps. Stand over to 8th June 2023.

4. On the next date, if the applicant fails to take steps, this Court would pass appropriate order.”

3. Today when the matter was called out, learned counsel submits that she has no instructions in the matter.

4. Accordingly, list the matter on 22nd June, 2023 for dismissal.”

2. According to orders dated 3rd April 2023 and 19th April 2023, it is observed that on all these occasions, learned Counsel for the Revision Applicant submitted that she had no instructions in the matter.

3. Today, the matter has been listed for dismissal. Learned Counsel for the Revision Applicant, once again, submits that, she is not receiving any instructions, despite her best efforts, and submits that appropriate orders be passed.

4. In view of the above position, the Civil Revision Application stands dismissed.

(ABHAY AHUJA, J.)