

Vidya Amin

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

**APPEAL FROM ORDER NO. 235 OF 2016
WITH
CIVIL APPLICATION NO. 312 OF 2016**

Ragdeep Singh Marwah ... Appellant
Versus
Gurudwara Shri Dashmesh Darbar, through its ... Respondents
working committee

None present.

CORAM: G. S. KULKARNI, J.
DATED: 18 January 2023

P.C.

1. None for the appellant.
2. This Appeal from Order has been filed assailing the order dated 5 February, 2016 passed by the learned Judge of the City Civil Court at Mumbai on a draft Notice of Motion in S.C. Suit No. 286 of 2016 whereby the learned trial Judge has rejected the ad-interim relief. The learned trial Judge has observed that the defendant would be required to be heard and ex-parte orders cannot be passed on the said Notice of Motion.
3. On perusal of the record, it is seen that there are no interim orders passed by this Court granting any protection to the appellant. Thus, considering the nature of the order, it appears that the appellant is not

interested to prosecute this appeal. Appeal from Order is accordingly dismissed for want of prosecution.

4. All contentions of the parties are kept open to be urged on the pending Notice of Motion.

5. Disposed of in the above terms.

6. In view of disposal of Appeal from Order, Civil Application does not survive and the same is accordingly disposed of.

7. No costs.

(G. S. KULKARNI, J)