

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

**APPEAL FROM ORDER NO.651 OF 2012
WITH
CIVIL APPLICATION NO.836 OF 2012**

Sharifunisa W/d. Saeed Ahmed

..Appellant

Vs.

Jameel Ahmed s/o Mohammed Khalil and Ors.

..Respondents

None for the Appellant.

None for the Respondent.

CORAM : G.S. KULKARNI, J.

DATE : FEBRUARY 10, 2023.

P. C.:

1. By the impugned order the learned Judge of City Civil Court, Bombay had ordered return of plaint to be presented to the Court, in which the suit should have been instituted as provided under Order 7, Rule 10 of Civil Procedure Code, 1908.

2. Perusal of the record indicates that there was no interim order passed. The Appeal was admitted by order dated 13/12/2012.

3. It appears that in these circumstances, the Appellant has lost interest in prosecuting the proceedings. The Appeal is accordingly dismissed for want of prosecution. In view of dismissal of the Appeal, the Civil Application does not survive and is disposed of.

[G. S. KULKARNI, J.]