



Gaikwad RD

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 523 OF 2022
WITH
INTERIM APPLICATION NO. 10528 OF 2022

Avarsekar Realty Pvt. Ltd.

...Appellant*Versus*

Ashok Paranjpe & Anr.

...Respondents*None for the Appellant.**None for the Respondent.***CORAM Dr. Neela Gokhale, J.****DATED: 29th November 2023****PC:-**

1. By order dated 25th August 2023, this Court has adjourned the Appeal to 8th September 2023 on the request of the Appellant that he wished to engage another Advocate. The order also records that if on the adjourned date none appeared for the Appellant, the Appeal will be dismissed. Clause (3) of the said order reads as under:

“3. If on the adjourned date, no one appears or seeks time then appeal will be dismissed. I am informed by the Respondent that the issue involved in the present appeal appears to have been decided by this Court as well as

Hon'ble Supreme Court in the cases of *Newtech Promoters and Developers Pvt. Ltd. V/s. State of UP & Ors.*¹ and *CCI Projects Pvt. Ltd. V/s. Union of India.*²”

2. When the matter was called out today, none appeared for the parties.
3. Considering the order of this Court dated 25th August 2023, the Appeal stands dismissed for want of prosecution.
4. In view of disposal of Second Appeal, Interim Application bearing No. 10528 of 2022 pending therein also stands dismissed.

(Dr. Neela Gokhale, J)

1 (2021) SCC Online SC 1044.

2 Writ Petition No.2008 of 2022 dated 6th May 2022.