

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 992 OF 2016

M/s.Shirdi Country Inns Pvt.Ltd. & ors. ... Appellants
Versus
M/s.G.S.C. Glass Ltd. ...Respondents

None for the Appellants.

CORAM: G. S. KULKARNI, J.
DATED: JANUARY 04, 2023

PC.

1. This appeal is directed against the Judgment and order dated 24 June 2016 passed by the learned District Judge, Thane, whereby an application for restoration of Civil Appeal No.18 of 2014, was dismissed.

The order reads thus:-

“Order Below Exhibit.1 in Civil M.A.No.295/15.
Heard Learned Advocate Mr.Amish Meghani for the Appellant.
Learned Advocate Mr.Pankajkumar Waghmare for the Respondent.

- 1) This is an application for restoration of the civil appeal No.18/14. The said civil appeal was dismissed for non-prosecution as the appellants never remained present before the Court.
- 2) Even today the Learned Advocate for appellant is not ready to proceed with the matter. No cogent reason has been given as to why the appellant could not prosecute the appeal.
- 3) Learned Advocate Mr.Waghmare, has submitted that appellants are only trying to delay the proceedings.
- 4) The conduct of the appellant clearly shows that they are not desirous of proceeding with the matter. In view thereof, I am inclined to dismiss the civil appeal with no order as to costs.”

2. Considering the nature of the order, it appears that the appellants are not interested to prosecute this appeal. It is accordingly dismissed for want of prosecution. No costs.

(G. S. KULKARNI, J)