

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
EXECUTION APPLICATION NO.597 OF 2017**

Magma Fincorp Limited

... Claimant/Decree Holder

V/s.

Viraj Jewellers & Ors.

... Respondents/

Judgment Debtors

None for the Claimant/Decree Holder.

CORAM : ARIF S. DOCTOR, J.

DATE , 07TH JUNE 2023

P.C. :

1. This Execution Application has not been proceeded with for a period of 12 months from the date of its filing and is thus placed on board under the caption "For Dismissal" under the provisions of Rule 329 of the Bombay High Court Original Side Rules which provides as under :-

"R.329. Non-prosecution of application for execution.----- When a party does not proceed with the application for execution for a period of twelve months from the date of the filing of application, the Prothonotary and Senior Master shall place the application before the Judge in Chambers for dismissal for want of prosecution. The Judge may pass such orders thereon as he may think fit."

2. Today none appears for the Claimant/Decree Holder to show cause why the Execution Application ought not to be dismissed.

3. In view thereof, the Execution Application is dismissed for want of prosecution. No order as to costs.

(ARIF S. DOCTOR, J.)