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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

**APPEAL NO.58 OF 2023
IN
NOTICE OF MOTION NO.2177 OF 2019
WITH
COURT RECEIVER'S REPORT NO.243 OF 2021
IN
APPEAL NO.58 OF 2023
WITH
INTERIM APPLICATION (L) NO.6129 OF 2021
IN
APPEAL NO.58 OF 2023**

Hamida Habib Merchant

...Appellant

vs.

Asra Constructions And Ors.

...Respondents

....

None for the Appellant.

Mr. Prithvi Aringale, i/b. Auris Legal, for Respondent No.2.

Mr. Javeed Hussein, i/b. Hussein & Co., for Respondent No.3.

....

**CORAM: K.R. SHRIRAM &
RAJESH S. PATIL, JJ.**

DATE : 28th MARCH 2023

P.C:-

On 6th December 2022, following order came to be passed:-

“1. Ms. Pulekar states that appellant had taken away the papers from Mr. Pagare more than two months ago, i.e. before Diwali vacation and they have no instructions to appear.

2. Applicant had sufficient time to engage another advocate. Still none present. Therefore, interim application dismissed.”

2. Today also appellant is absent. Appeal dismissed. Consequently, interim application is also disposed of.

(RAJESH S. PATIL, J.)

(K.R. SHRIRAM, J.)