



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

945 ARBITRATION APPEAL NO. 14 OF 2010

SRIMAULI INFRASTRUCTURE PVT LTD

VERSUS

STATE OF MAH AND ANR

...

Advocates for Appellant : Mr. Karad Atul M. & Mr. E G Irale

AGP for Respondent/State: Mr. N. D. Raje

...

WITH

CIVIL APPLICATION NO. 8801 OF 2010

IN ARBA/14/2010

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 16th OCTOBER, 2024

PER COURT:

1. This court on 18.09.2024 passed the order as under:

"1. The learned counsel for the appellant has given no objection to his client, which is recorded by order dated 05.03.2024. This court has also observed that the appellant to take appropriate steps to seek discharge. However, the learned advocate has not sought discharge in the matter and, thereafter, has not appeared, on 23.04.2024, so also, on 13.08.2024. Thus, this court issued notice to the appellant. The notice is returned unserved as not found on the address as per the bailiff report.

2. Today also, none present for the appellant. This court cannot pursue the matter further without the presence of the appellant.

3. *Registry is directed to issue notice to the learned counsel for the appellant.*

4. *Learned counsel for the appellant to remain present on the next date.*

5. *Stand over to 16.10.2024.”*

2. Today also, the learned counsel appearing for the appellant submits that he has issued notice and the same is returned unserved and he has also filed applications for discharge. As the appellant is not available, this court is left with no option but to dismiss the appeal for non-prosecution.

3. The Arbitration Appeal is dismissed for non-prosecution. The pending civil applications, if any, are also dismissed.

[ARUN R. PEDNEKER, J.]

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