

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.455 OF 2005 WITH CIVIL APPLICATION NO.1020 OF 2005

Roshanbi Poonawala & Ors.

: Appellants

Vs.

Noor Jana Mohammed Umar Shaikh & Ors.

: Respondents

None for the Appellants.

Adv. Sanjiv Sawant a/w Adv. Malhar Bageshwar, for the Respondent
Nos.1C, 2, 4, 6 & 8.

CORAM : KISHORE C. SANT, J.

DATE : 30TH APRIL, 2024

PC. :

1. This Court by order dated 23rd April, 2024 had specifically recorded that the Appellant is not showing any interest in working of the Appeal. Several chances were given.

2. The matter was adjourned today by way of last chance, making it clear that if no steps are taken by the Appellant, this Court would be constrained to pass order in absence of Appellant for dismissal for default. In spite of the said position, when the matter is called out today, none is present.

3. Learned Advocate Mr. Sawant informs that on the last occasion he has also given intimation to the other side and since there is no response.

4. This Court thus finds that the Appellant is not interested in prosecuting the Appeal. This Court has no option but to dismiss the Appeal for default.

5. Appeal is thus disposed of.

6. In view of the disposal of Appeal, pending Applications, if any, also stand disposed of.

7. Needless to say that interim order stands vacated.

(KISHORE C. SANT, J.)

(Corrected pursuant to speaking to minutes of order dated 3rd May, 2024.)