

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1518 OF 2019
IN
FIRST APPEAL NO.975 OF 1997**

Shaikh Abdul Razak Ismail

..Applicant/Appellant

Versus

Municipal Corporation of Greater Mumbai

..Respondent

None for the Applicant/Appellant.

Mr. Santosh Parad, for the Respondent.

CORAM : KISHORE C. SANT, J.

DATE : 8th JANUARY, 2024

PC.

1. This Court by detailed order dated 11th December, 2023 observed that the Applicant is not prosecuting the Appeal and the Application. The Application for bringing legal heirs of the sole Appellant itself is filed after delay of 6 years and 30 days. This Court further recorded conduct of the Applicant. It is evident that the Applicant is not desirous in prosecuting the Application. Still the matter was adjourned to 20th December, 2023, by way of a last chance and finally it is kept today for dismissal.

2. Today also, none appears for the Applicant.

3. The Application is therefore dismissed for want of prosecution.
4. As the heirs of sole deceased Appellant are not brought on record, needless to state that Appeal also abates.
5. The Appeal also stands disposed of as abated.

[KISHORE C. SANT, J.]