

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**EXECUTION APPLICATION NO.555 OF 2017**

Mahindra and Mahindra Financial

Services Ltd.

: Claimants

**Vs.**

Rosha Pramod Das and anr.

: Respondents.

**WITH**

**EXECUTION APPLICATION NO.695 OF 2017**

**WITH**

**EXECUTION APPLICATION NO.707 OF 2017**

**WITH**

**EXECUTION APPLICATION NO.709 OF 2017**

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None for the Claimants.

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**CORAM : ARIF S. DOCTOR, J.**

**DATE : 04<sup>th</sup> APRIL 2024**

**P.C. :**

1. These matters were on board today for dismissal under Rule 329 of the Bombay High Court (Original Side) Rules, 1980 since no steps have been taken by the Claimants/Decree Holders for twelve months from the date of filing of the captioned Execution Applications. Rule 329 of the Bombay High Court (Original Side) Rules, 1980 provides as follows;

***“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 when these matters were called out, none appeared on behalf of the Claimants/Decree Holders to show cause as to why the captioned Execution Applications should not be dismissed. The captioned Execution Applications are of the year 2017 and given that despite the passage of over Seven years, the Claimants/Decree Holders have not taken any steps to proceed with the Execution Applications, the captioned Execution Applications are thus dismissed in terms of Rule 329 as above.

**(ARIF S. DOCTOR, J.)**