

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

EXECUTION APPLICATION NO.414 OF 2018

M/s. Chola mandalam Investment and Finance
Company Ltd.

... Claimant

V/s.

Sunil Vishnu Panchal S/o Vishnu Panchal
and Poonam Sunil Panchal W/o. Sunil Panchal

... Respondents

AND

EXECUTION APPLICATION NO.586 OF 2018

AND

EXECUTION APPLICATION NO.1260 OF 2018

AND

EXECUTION APPLICATION NO.2076 OF 2018

AND

EXECUTION APPLICATION NO.2078 OF 2018

AND

EXECUTION APPLICATION NO.2079 OF 2018

AND

EXECUTION APPLICATION NO.2090 OF 2018

None for the Claimants/Decree Holders.

CORAM : ARIF S. DOCTOR, J.

DATE : 16th FEBRUARY, 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 2018 and given that despite the passage of over five 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.)