



WEB COPY



O.S.A.No.89 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE P. DHANABAL

O.S.A.No.89 of 2019

and

C.M.P.No.8663 of 2019

1.Asha

Represented by her

Power of Attorney Agent S.Ramanathan

GobindMahtani (deceased)

2.Suresh Mahtani

3.JamunaMaiyalagan

... Appellants

Vs.

1.JeffreyMathuranayagam

2.Kishorkumar Gokaldas

P.Maiyalagan (deceased)

... Respondents



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Original Side Appeal filed under Order XXXVI Rule 1 of Original Side Rules and Clause 15 of the Letters Patent against the judgment and decree dated 13.02.2018 in C.S.No.209 of 2010 on the file of this Court.

For Appellants : Mr.E.Hariharan
for Mr.P.T.Rakesh

J U D G M E N T

(Judgment was delivered by **S.S. SUNDAR, J.**)

When the matter was listed on 27.06.2024, there was no representation for the appellants. Again, when the matter was listed on 28.11.2024, there was no representation for the appellants. Therefore, the matter was directed to be listed under the caption “for dismissal” on 02.12.2024. Despite the matter is listed today under the caption “for dismissal”, the learned counsel appearing for the appellants seeks further time as he is unable to contact the appellants. This Court finds no *bona fide* reason to adjourn this matter any more and the Appeal is liable to be dismissed for non-prosecution.



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WEB COPY 2. Accordingly, this Original Side Appeal is dismissed for non-prosecution. No costs. Consequently, connected miscellaneous petition is closed.

(S.S.S.R., J.) (P.D.B., J.)
04.12.2024

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Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No



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