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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 8254 OF 2024
IN
SECOND APPEAL (ST) NO. 7206 OF 2023

Kharibai Balkrishna Hegde Through Power of Attorney Mr. Pratin Balkrishna Hegde ...Applicant

Versus

Deepak Vallabhji Dedhiya ...Respondent

WITH
INTERIM APPLICATION NO. 8255 OF 2024

None for Applicant/Appellant.

Mr. Shubham Gangan, i/b. Saurabh Butala for Respondent.

CORAM : Advait M. Sethna, J.

DATED : 24 December 2025

P.C.:-

1. Heard Mr. Gangan, learned counsel for the sole Respondent. This Court had passed an order dated 23 December 2025 which reads thus:-

> *"1. Heard Mr. Gungan, learned counsel for the Respondent. It is surprising that the Applicant is not being represented and none appears for the Applicant despite successive orders. On 16 December 2025 this matter was adjourned to 21 December 2025 to give the Applicant an opportunity to be represented.*
>
> *2. Today, the matter was called out in the morning*

session. As none appeared for the Applicant, the matter was kept back for the post lunch session. Once again, none appears for the Applicant. As a matter of last chance, list this matter on ***24 December 2025****.*

3. The Interim Application has been filed to condone a delay of 17 days in filing the Second Appeal. Looking at the duration of the delay, it is expected that somebody represents the Applicant. However, if this is not done, then the Court shall presume that the Applicant is not interested in pursuing these proceedings and accordingly appropriate orders shall be passed."

2. Pursuant to the above, the learned counsel for the Respondent has stated that he has made attempts to serve the Applicant, in good faith. However, such attempts have not been successful. Even today, none appears for the Applicant.

3. In light of the reasons recorded in order of 23 December 2025 and despite giving the Applicant/Appellant sufficient opportunities to represent himself before the Court, the same is not being taken seriously. It appears that the Applicant has lost interest in pursuing this application.

4. The Court is thus constrained to dismiss the Interim Application No.8254 of 2024 for want of prosecution and the same is Dismissed.

(Advait M. Sethna, J)