

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO. 394 OF 2009

Aziz T. Dohadwala	..	Applicant
vs.		
Mrs. N. V. Kadam & Ors.	..	Respondents

Mr. P. Sharma i/b. Khandeparkar & Associates for Applicant.
Mr. Durgesh Kulkarni i/b. Lex Firmus for Respondents.

CORAM : M. S. SONAK, J.
DATE: 22 AUGUST 2017

P.C :

1] By order dated 9th April 2013, the applicant was directed to serve respondent nos. 1, 2, 1A, 1B and 1D within three weeks failing which the CRA was to stand dismissed for non prosecution against the said respondents without any further reference to the Court.

2] There is an endorsement made by the Registry dated 3rd May 2013 to the effect that since no steps have been taken, the CRA stands dismissed as against the aforesaid respondents in terms of the conditional order dated 9th April 2013.

3] Thereafter, a statement was made that the original applicant has passed away sometime in the year 2014 and that steps would be taken to bring on record the legal representatives.

4] Adjournments were granted from time to time in order to enable the legal representatives of the original applicant to come on record. Last of such order was made on 5th June 2017.

5] Today, when the matter is called out, it is found that till date, no steps have been taken.

6] Accordingly, the CRA is dismissed in its entirety for non prosecution. Interim order, if any, stands vacated.

7] Needless to add, that this will not preclude the legal representatives of the applicant to file appropriate proceedings seeking restoration.

(M. S. SONAK, J.)

Chandka