

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 14375 OF 2024
IN
FIRST APPEAL (ST) NO. 28604 OF 2023

ANAND
SUDHAKAR
SUDAME

Suryaminnikan Madaswamy Muthayya ..Applicant

IN THE MATTER BETWEEN

Suryaminnikan Madaswamy Muthayya ..Appellant

Versus

Digitally signed
by ANAND
SUDHAKAR
SUDAME

Airports Authority of India (International Airports
Division) & ors. ..Respondents

Date:
2026.01.14
19:49:34 +0530

None for the Applicant
Ms. Radha Bhandari a/w. Ms. Shweta Singh & Ms. Kajal Gupta i/b.
M. V. Kini & Co., Advocates, for Respondent No. 1
Mr. Suhas S. Kadu i/b. Wadia Ghandy & Co., Advocate, for Respondent
No. 3

CORAM : RAJESH S. PATIL, J.

DATE : 12.01.2026

P C.

1. None for the Applicant when the matter is called out.
2. Mr. Kadu, learned Counsel for Respondent No. 3 submits that earlier when this matter was on board, out of six times, five times learned Counsel for the Applicant chose not to appear in the matter. He further submits that even a notice was issued in the delay condonation Application, when the Applicant was absent. Hence, he submits that

the Applicant is not interested in pursuing the First Appeal and the same should be dismissed with costs.

3. On 12.08.2025, the following Order was passed in the Interim Application which reads as under :-

“1. None for the Applicant. On last occasion (14.02.2025) also nobody appeared for the Applicant. However, notices were issued.

2. Today learned counsel for Respondent Nos. 1 & 3 are present. They make a grievance that the copies of proceedings are not served upon them. This is second time when the Applicants are remaining absent.

3. Stand over to 19.08.2025 as a last chance to the Applicants to come forward and proceed with the matter. Matter to be listed under the caption ‘For Dismissal’.”

4. Thereafter, on 26.08.2025, for the first time, learned Counsel for the Appellant/Applicant appeared and sought time to remove office objections.

5. Office remarks show that till date, office objections of the First Appeal are not removed.

6. Learned Counsel for the Respondent submits that though conditional order was passed by this Court directing the Applicant/Appellant to serve a copy of the proceeding on the Respondents, however, till date, a copy of the proceeding has not been served on the Respondents. It seems that the Appellant has lost interest

in pursuing the First Appeal along with Delay Condonation Application.

7. The Interim Application for condonation of delay stands dismissed for want of prosecution.

8. Consequently, the First Appeal also stands disposed of.

(RAJESH S. PATIL, J.)