

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

EXECUTION APPLICATION NO.1859 OF 2018

WITH

CHAMBER SUMMONS NO.81 OF 2018

IN

EXECUTION APPLICATION NO.1859 OF 2018

L and T Finance Limited

: Claimant/Plaintiff

Vs.

Precision Engineering and Fabricators

Pvt. Ltd. and ors.

: Respondents/Defendants

Ms. Nehal Deshmukh and Ms. Rahila Memon i/by S. I. Joshi and Co. for the
Claimant.

CORAM : ARIF S. DOCTOR, J.

DATE : 11th JANUARY 2024

P.C. :

1. The present matter was 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 Claimant/Decree Holder for twelve months from the date of filing of the captioned Execution Application. Rule 329 of the Bombay High Court 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 the matter was called out, learned counsel Ms. Deshmukh appeared for the Claimant/Decree Holder and sought time to prosecute the present Execution Application.

3. At the request of learned counsel for the Claimant/Decree Holder, as and by way of an absolute last chance, stand over to 8th February 2024. It is made clear that in the event no steps are taken by the Claimant/Decree Holder on or before the next date, the captioned Execution Application shall stand dismissed without further reference to the Court.

(ARIF S. DOCTOR, J.)