

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
EXECUTION APPLICATION NO. 1766 OF 2023

The Nasik Merchants Co-operative Bank Ltd. ...Applicant

Versus

Barnes Monica Lawerance And 2 Ors. ...Respondents

None for the Applicant.

CORAM : ADVAIT M. SETHNA, J.

DATE : 21st AUGUST 2026

P.C.:

1. None for the parties.
2. The Application was called out in the morning session and was kept back. Thereafter, it was again called out in the afternoon session, however, none appears.
3. The record bears out that the Execution Application appears to have been filed on 4 November 2020. The office objections, as per the record, were removed on 30 October 2023. In terms of Rule 329 of the Original Side Rules, no steps have been taken as mandated under the said statutory provision by the Applicant.
4. In view thereof, the proceedings have been placed under the caption

“For Dismissal under Rule 329 (Original Side)” of the Bombay High Court Original Side Rules for consideration of this Court today.

5. It appears that the Applicant is not interested in pursuing the said Application. Considering the aforesaid facts, and more particularly, that no steps have been taken in the Execution Application despite the clear mandate of Rule 329 of the Bombay High Court (Original Side) Rules, this Execution Application stands dismissed for want of prosecution.

6. Consequently, the Interim Application, if any, would not survive and the same is accordingly dismissed.

7. No costs.

[ADVAIT M. SETHNA, J.]