Court No. - 11

Case :- APPLICATION U/S 482 No. - 6273 of 2013

Applicant :- Mughal Jaan Ansari And Ors.
Opposite Party :- The State Of U.P Thru Principal Secy. Home Lucknow And Anr.
Counsel for Applicant :- Mohd. Azam Siddiqui
Counsel for Opposite Party :- Govt. Advocate,Ruby Singh

Hon'ble Saurabh Lavania,J.

1. Case called out in revised list. No one has put in appearance on behalf of the petitioners/ applicants to press this application. However, learned counsel representing side opposite is present in the Court.

2. It appears that the petitioners/applicants and the counsel engaged by the petitioners/ applicants both have lost the interest in the case and are not interested in pursuing the application, which is pending since 2013.

3. It would be appropriate to refer two maxims:-

(i) *Vigilantibus non dormientibus jura subveniunt* (The law assists only those who are vigilant, and not those who sleep over their rights); and

(ii) *Interest reipublicae ut sit finis litium* (In the interest of the society as a whole, the litigation must come to an end).

The above said two maxims are sister provisions, which would highlight and spotlight that the party seeking remedy before the Court should be vigilant, otherwise, the law would not come to their help and there should be end to litigation.

4. Considering the aforesaid, this Court feels that the petition should not be disposed of on merits and should be dismissed for non-prosecution. Accordingly, it is ***dismissed*** for non-prosecution. Interim order, if any, stands vacated.

Order Date :- 30.11.2023
Vinay/-

Digitally signed by :-
VINAY KUMAR
High Court of Judicature at Allahabad,
Lucknow Bench