

IN THE HIGH COURT OF JUDICATURE OF BOMBAY,
BENCH AT AURANGABAD

WRIT PETITION NO. 1467 OF 1991

Suryabhan s/o Narayan Tagad
& another

... Petitioners

Versus

Smt. Amirbai Sandubai Inamdar
& others

... Respondents

None for the petitioners
None for the respondents

.....

.....

CORAM : RAVINDRA V. GHUGE

DATED : 8th JANUARY , 2015

PER COURT :

1. This Court had earlier issued notices to the petitioners. The petitioner No. 2 was served. However, notice issued to petitioner No. 1 was returned as he is reported to be dead.

2. Since nobody appeared for the surviving petitioner No. 2, this Court had passed the following order on 30-10-2014 :-

“1. This Court had issued notice to the petitioners. It is reported that petitioner No. 2 has been served and the notice to petitioner No. 1 has been returned as is reported to be dead.

2. *Today, none appears for petitioner No. 2. So also, nobody appears on behalf of any of the respondents. By order dated 24-08-2012, the petition stood abated as against respondent Nos. 1, 2 and 3.*

3. *In the light of the above, issue notice of final hearing to respondent Nos. 4, 5 & 6 on the address mentioned in the cause title of the petition, returnable on 27-11-2014. Notice be issued to the above said respondents at the costs of Registry."*

3. In view of the said order, fresh notices were issued to respondent Nos. 4,5 & 6. Office report dated 01-01-2015 indicates that respondent Nos. 4,5 & 6 are served.

4. Even today, none appears for the surviving petitioner No. 2. This petition has already abated as against respondent Nos. 1,2 & 3. Despite this Court having issued notices to the petitioners and in the light of the observations made in the order dated 30-10-2014, even today none appears for the litigating parties even at the second call.

5. In the light of the above, this petition is dismissed for want of prosecution. Interim relief granted in terms of prayer clause (D) on 26-06-1991 stands vacated. Rule is discharged.

(**RAVINDRA V. GHUGE, J.**)