

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

WRIT PETITION NO. 325 OF 1994

Pipe Line Road, HADCO Vasahat
Galedharak Sangathana

... Petitioner

Versus

The State of Maharashtra
& others

... Respondents

.....
Mr. K.M. Suryawanshi , A.G.P. for respondent No. 1
Mrs. Sangmitra Wadmare, Advocate for respondent Nos. 2 & 3
.....

CORAM : RAVINDRA V. GHUGE, J.

DATED : 13th FEBRUARY , 2015

PER COURT :

1. On 16-06-2014, none appeared for the petitioner.
2. On 22-01-2015, as none appeared for the petitioner, I passed the following order :-

"1 None appears for the Petitioner.

2 This petition was to be heard along with Writ Petition No.1449/1990. The said Writ Petition No.1449/1990 has been disposed of by the judgment and order dated 19.11.2005.

3 The learned AGP submits that this petition stands on an identical set of facts wherein the Petitioner Association is seeking determination of final price of the hutments / blocks constructed by the MHADA. He further submits that in the light of the said judgment

delivered in Writ Petition No.1449/1990 nothing survives in this matter. He, therefore, submits that this petition can be disposed of in terms of the said judgment dated 19.11.2005.

4 Since none appears for the Petitioner, stand over to 05.02.2015 in the order matter category."

3. Even today, none appears for the petitioners.

4. On 22-01-2015, the learned AGP made a statement that on identical set of facts, as like the petitioner Association seeking determination of final price of the hutment, blocks constructed by MHADA, this Court dealt with 1449 of 1990 and disposed off the same by judgment and order dated 19-11-2005. It is in this backdrop that the statement of the learned was recorded in paragraph Nos. 2 & 3 of the order dated 22-01-2015.

5. Today, neither the petitioner has caused their appearance nor is the said statement contradicted by any of the litigating parties. While admitting the matter, this Court by its order dated 07-02-1994, had tagged this petition for hearing along with Writ Petition No. 1449 of 1990, which has already been decided.

6. In the light of the same, it appears that the petitioner is not interested in prosecuting the matter.

7. Hence, this petition is disposed off in the light of the statement of the learned A.G.P. Rule is made absolute in terms of the judgment dated 19-11-2005 in W.P. No. 1449/1990.

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

SDM* FEBRUARY-2015