

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.6443 OF 1998

M/s Doshi Motichand Kuberchand Kapad
Dukan

.. Petitioner.

V/s

Shri Digambar Krishnaji Malvatkar and anr.

.. Respondents.

None for Petitioner.

Coram : Smt. R.P. SondurBaldota, J.

Date : 08th June, 2015

P.C.

1. The order dated 03rd May, 2010 shows that on account of death of the only contesting Respondent i.e. Respondent No.1, the petition was disposed off as having been abated. Thereafter, by the order dated 7th September, 2012, it was restored to file to enable the petitioner to bring the heirs of Respondent No.1 on record. The petitioner accordingly took out Civil Application No.224 of 2012 for bringing the heirs of Respondent No.1 on record. That application remains unserved till the date. In view of death of Respondent No.1, the petition stands abated. The same is disposed off accordingly.

(Smt. R.P. SondurBaldota, J.)