

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1822 OF 1991
WITH
CIVIL APPLICATION NO. 1183 OF 2013

Madhavdas Ramchandra Pandit,
since deceased by Legal Heirs
Padma Madhavdas Pandit & Ors. .. Petitioners
vs.
The State of Maharashtra & Ors. .. Respondents

None for Petitioners.
Ms P. S. Cardozo – AGP for Respondents.

CORAM : M. S. SONAK, J.
DATE: 15 JANUARY 2015

P.C. :-

1] This petition was dismissed for want of prosecution on 10 September 2008. Thereafter the same was restored on 22 January 2010. Again none appeared for the petitioners on 27 April 2010 and the matter was posted for dismissal on the next date. The matter was not dismissed on the next date but posted for 5 May 2010. On the said date, as well, none appeared for the petitioners and the matter was directed to be listed in June for dismissal. Some time was thereafter spent in taking out motions for amendment of the petition and for effecting amendment in pursuance of the leave granted by this Court. On 23 January 2013, none appeared for the petitioners and the matter was again posted for dismissal on 24

January 2013. On 24 January 2013 since none appeared for the petitioners, the matter was dismissed for want of prosecution. It was recorded in the said order that the learned AGP Ms. Cardozo was ready to argue the matter on merits. Petition was restored on 29 January 2013. Thereafter again some time was spent on the issue of further amendment. The roznama for 24 July 2013 and 14 August 2013 also record that none appeared for the petitioners.

2] Taking into consideration the manner in which the present petition is being pursued and also the circumstance that the matter relates to the year 1991, there is no option but to dismiss this petition once again for non prosecution. Accordingly, present petition is dismissed for non prosecution. Interim orders, if any, stands vacated.

3] In view of the dismissal of the petition, the civil application no. 1183 of 2013 does not survive and therefore the same is disposed of.

(M. S. SONAK, J.)