

JPP

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

WRIT PETITION NO. 5183 OF 1995

Nanbai Kalyanji Bhagat & Anr. ... Petitioners.
V/s.
Ishwar Balwantraai Bhatt & Ors. Respondents.

None for the Petitioners.
Mr. Makarand Kale i/b. M/s. M.P. Vashi & Assoc. for Respondent 3.

CORAM : N.M. Jamdar, J.

21 November, 2016.

***P.C.* :-**

On 9 August 2011 the Petition was dismissed for default. Thereafter, it was restored. On 15 November 2016 following order was passed :-

“On 9 August 2011 the Petition was dismissed for non-prosecution. By order dated 14 September 2012 the Petition was restored. When the matter is called out, none appears for the Petitioner. In the Petition the Petitioner has only annexed the operative portion of the order passed on 24 November 1994 and the documents are also not on record. The learned Counsel for the Respondent states that identical matters filed by the same landlord have been withdrawn.

Therefore, it appears that the Petitioner has lost interest in prosecuting this Writ Petition. Place the Petition on board for 'dismissal' on 21 November 2016."

2. None appears for the Petitioners. The matter is listed for dismissal. The Writ Petition is dismissed for non-prosecution

(N.M. Jamdar, J.)