

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

WRIT PETITION NO.5952 OF 2014

WITH

CIVIL APPLICATION NO.2194 OF 2014

Mr. Chandrakant Sahdev Ghole

.. Petitioner

Versus

Mr. Mohamed Rafique Usman Phudinawala

and others

.. Respondents

None for the Petitioner.

Mr. P. J. Ramchandani, for the Respondent Nos.1 to 6.

CORAM : R.M. SAVANT, J.

DATE : 4th MARCH 2016

PC.

1. The above Writ Petition was on board on 17.02.2016 when no appearance was put up on behalf of the Petitioner and was therefore adjourned to 25.02.2016. However, the above Petition did not appear on board on 25.02.2016 but appeared on 29.02.2016. On which day also, no appearance was put up on behalf of the Petitioner. In the above Petition an order has been passed on 15.07.2015 directing the Petitioner to pay the arrears of rent at the rate of Rs.5,717.14 ps. per month and the amount was to be deposited at the said rate up to 31.07.2015. It was made clear, if the amount is not deposited within the time stipulated in the said order, then interim order stand vacated. The said amount comes to

Rs.6,86,056.80 ps. Hence, the continued default in appearance is for obvious reasons. This Court is therefore constrained to dismiss the above Writ Petition for non-prosecution.

2. In view of the dismissal of the above Petition, the Civil Application does not survive and to accordingly stand disposed of as such.

[R.M. SAVANT, J]