

AGK

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2087 OF 2008**

Narendra Kumari Singh	...Petitioner
<i>Versus</i>	
The State of Maharashtra & 12 Ors.	...Respondents

None for the Petitioner.
Ms. P. H. Kantharia, Government Pleader, for the Respondents
Nos. 1, 3, 7 and 8.

**CORAM: S.C. DHARMADHIKARI &
G.S. PATEL, JJ.**
DATED: 7th January 2016

PC:-

1. The petition is filed by the Petitioner in person on 20th October 2008. A learned Single Judge of this Court found that the matter pertains to a Division Bench and, therefore, the Petitioner must cooperate in drawing up a second set of the proceedings, supplying it to the Registry and thereafter enabling the Registry to place the matter before an appropriate Division Bench.

2. The Registry convened meetings pursuant to this order. When it finds that the Petitioner remained absent on 25th October 2012 and 6th November 2012 before the Master & Assistant

Prothonotary (Judicial), the Registry brought to our notice this lapse on the part of the Petitioner and a Division Bench of this Court made an order on 3rd December 2015 directing the Registry to issue a notice to the Petitioner and serve him so that he could remain present in person in Court today, else the Petition would be dismissed for want of prosecution.

3. The report of the Registry shows that the packet containing this notice was taken personally by a staff member at the residential address indicated in the cause title but on two occasions the Petitioner was not found at the premises and his neighbours informed him that the premises are closed. No whereabouts of the Petitioner are known to these neighbours.

4. We cannot continue these state of affairs merely because a litigant is appearing in person, indefinitely. Just like Advocates, it is their bounden duty to follow up the matter with the Registry.

5. On account of the serious lapse on the part of the Petitioner, we dismiss the Petition for want of prosecution.

(G. S. PATEL, J.)

(S.C. DHARMADHIKARI, J.)