

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

**WRIT PETITION NO.3144 OF 1999
WITH
CIVIL APPLICATION NO.2683 OF 2009
IN
WRIT PETITION NO.3144 OF 1999**

Mr.Khazanchi Mistry

...Petitioner

V/s.

1.The Board of Trustee of the
Port of Bombay & Ors.

...Respondents

Mr.C.G. Gavnekar for the Petitioner.

Mr.Ajay Fernandes a/w Ms.Sneha Pandey i/b Motiwala & Co. for
Respondent No.1.

CORAM : M. S. SONAK, J.

DATE : 21st AUGUST 2017

P.C.

1. On 28th July 2017, this Court made the following
order :-

*“Mr.Gavnekar, learned counsel appearing for the
petitioner states that his client has expired on 01st
February, 2001 and seeks time to take appropriate steps
to bring the legal heirs of his client on record if any and
for applying for setting aside the abatement if any. S.O.
to 18th August, 2017”.*

2. The Registry has noted that the Advocate for the

petitioner has not taken any steps to bring on record the legal representatives of the deceased sole petitioner who is stated to have expired way back on 01st February 2001. The learned counsel who used to appear for the petitioner states that some correspondence has been addressed to the attorney. However, there is no response. Taking into consideration the aforesaid position, this petition is disposed of for non-prosecution/abatement.

3. The Civil Application does not survive and the same is also disposed of.

(M. S. SONAK, J.)