

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6770 OF 2003

1. M/s Kantilal Hemraj Hiren
deceased through his heirs

1A) Lilabai Kantilal Hiren }
aged 55 years

1B) Prashant Kantilal Hiren
aged 35 years }

1C) Gautam Kantilal Hiren
aged 33 years }

All residing at Mahavir Path Naikwada
(Muktangan) Post Manmad
Taluka Nandgaon District Nasik } .. Petitioners

(Amendment carried out as per Court order dated 23.12.2005 in Civil Application No.2992/2005 in WP No.6770/2003)

versus

1. The Union of India }
(Notice to be served upon the
General Manager, Central Railway
Chhatrapati Shivaji Terminus, }
Mumbai-400 001.)

2. The Station Master & Chief
Goods Shed Superintendent
Bhusawal Division at Bhusawal

3. Divisional Revisional Manager }
Solapur Central Railway
Taluka District Solapur }.. Respondents

...

None for the Petitioner

Mr.Suresh Kumar for Respondent nos.1 to 3.

***Coram : SMT.VASANTI A.NAIK AND
RIYAZ I.CHAGLA, JJ***

Date : 2nd NOVEMBER 2017

ORAL JUDGMENT

By this writ petition, the petitioner seeks a direction against the respondents not to insist upon one point loading of one rake in two parts and/or one rake as per Notification Order No.61 of 2000 annexed at Exhibit A.

The petition was filed in the year 2003. The policy in respect of open loading of the rakes must have been modified during the pendency of the writ petition. It is most likely that the petitioner must have lost interest in the litigation and that could be the reason for the absence on the part of the petitioner today.

In the circumstances of the case, we dismiss the writ petition with no order as to costs. Rule stands discharged.

(RIYAZ I. CHAGLA J)

(SMT.VASANTI A.NAIK, J)

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