

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 202 OF 2009
IN
CIVIL APPLICATION NO. 1571 OF 2008
IN
APPEAL FROM ORDER NO. 1279 OF 2008

Mrs. Cecilia John Pereira .. Petitioner
vs.
Mathew Albert Jacinto & Ors. .. Respondents

None for Petitioner.

Mr. Clive D'souza for Respondent Nos. 1 to 3.

CORAM : M. S. SONAK, J.
DATE : 23 MARCH 2017

P.C :

1] Office noting indicates that this petition stands dismissed as against respondent nos. 4 to 11 and 16 to 18. This was the position recorded on 29 December 2015. Thereafter, no steps have been taken in the matter. On 4 July 2016, Mrs. Moily, learned counsel for the petitioner stated that she has already given her NOC almost three to four years back to the petitioner. This Court, on 4 July 2016, made the following order:

"1. The learned Counsel Mrs. N. S. Moily states that she has given her NOC three to four years back to the Petitioner. None appears for the Petitioner when called out. Hence, adjourned for two weeks as a last chance."

2] On 23 September 2016, there is an order, made which substantially reiterates the position reflected in the order dated 29 December 2015. There is a further note dated 15 March 2017, which also reflects the same position.

3] Today, when the matter is called out, neither the petitioner nor any Advocate for the petitioner are present. Mr. Clive D'souza appears for respondent nos. 1, 2 and 3.

4] In the aforesaid circumstances, this contempt petition is dismissed for non prosecution.

(M. S. SONAK, J.)

Chandka