

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

WRIT PETITION NO. 5081 OF 1996

M/s.Rekhi Roadlines & Anr. ... **Petitioners.**

V/s.

Trustees of the Port of Mumbai & Ors. ... **Respondents.**

- Ms. Pamela Dalal i/b. Mr.M.M. Vashi for the Petitioners.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATED : 13th OCTOBER, 2017.

P.C. :-

1] Learned counsel for the Petitioners files the office copy of the notice dated 20th July, 2017 along with the registered envelop under which the said notice was issued to the Petitioners-tenant. The registered envelop is returned unserved with the endorsement “not known”.

2] Earlier as per the order passed by this Court on 24th July, 2017 on the request of learned counsel for the Petitioner to verify whether the Petitioners are still in possession of the suit premises,

this step of issuing the notice was taken. Now, if on the address of rented premises, the Petitioners are not found, it indicates that the Petitioners have already handed over the possession of the said premises and that's why they are not interested in prosecuting this Writ Petition. On the last date therefore the petition was kept under the caption of "Dismissal".

3] In view of the above referred facts, the Writ Petition stands dismissed for default.

(DR. SHALINI PHANSALKAR-JOSHI, J.)