

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

**WRIT PETITION NO. 19 OF 1997**

|                                                                         |     |                                       |
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| Banni Louis Menezes<br>V/s.<br>Aminabai Abdul Rehman Lambate<br>and Ors | ... | Petitioner<br><br><br><br>Respondents |
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- None for the Petitioner.
- None for the Respondents.

**CORAM : G.S. KULKARNI, J.**

**DATED : 20<sup>th</sup> July, 2017.**

**PER COURT :**

1. This petition is of the year 1997. It is appearing on the final hearing list for quite sometime. Yesterday i.e. 19/07/2017, it was called out for final hearing as none appeared for the petitioner, the Court had passed the following order:

*“None for the petitioner and the respondents. This petition is of the year 1997. It has been appearing on the final hearing board for quite sometime. Today, when the petition is called out for final hearing, the petitioner is not represented. However, in the interest of justice, one more opportunity is granted to the petitioner to appear at the final hearing of the petition. Accordingly, let the petition be retained at its position on the final hearing board and be again called out tomorrow (20<sup>th</sup> July, 2017). If on the adjourned date of hearing, the petitioner isn ot represented, the Court shall proceed to pass appropriate orders, including dismissing the petition for non prosecution”.*

2. Today, again when the petition is called out for final hearing, none

appears for the petitioner. From the conduct of the petitioner it appears that, he is no more interested to prosecute this petition. It is accordingly dismissed for non-prosecution. No costs.

**(G.S. KULKARNI, J.)**