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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6497 OF 1999

Dashrath Barku Nikam

..Petitioner.

V/s.

Mohammad Ishaque Haji Abdul Rahman
(since deceased) through LR's.

..Respondents.

None for the Petitioner.

None for the Respondents.

CORAM : G.S.KULKARNI, J.

DATED : 26 July 2017

P.C.:-

Office remarks indicates that as the learned advocate for the Petitioner was elevated as a Judge of this Court, therefore a notice came to be issued to the Petitioner to appear in the present writ petition. The notice was returned with remark of the Bailiff that the Petitioner had expired on 28 September, 2010. Thereafter, this petition appeared on board on several occasions. However, the legal heirs of the Petitioner have failed to appear in this petition.

Noting the remarks made by the office, this petition was on earlier occasions adjourned from time to time so as to grant another opportunity to the Petitioner to be represented in this petition. However, it appears that the legal heirs of the Petitioner are not interested in prosecuting the petition.

2. In the circumstances, there is no alternative but to dismiss this petition for non prosecution. Accordingly, the petition is dismissed for non prosecution. No costs.

(G.S.KULKARNI, J.)