

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

WRIT PETITION NO. 2311 OF 1997

Shri Kanubhai Mathurbhai Patel

...Petitioner

Versus

Mrs. Martin D'souza

...Respondents

Ms.Aditi Naikare i/f Mr.R.A. Thorat for the Petitioner.

None present for the Respondents.

CORAM : M. S. SONAK, J.

DATE : 01st SEPTEMBER 2017

P.C.

1. On 20th July 2017, this Court made the following order.

“At the request of learned counsel for the petitioner that, he cannot proceed with the final hearing of the petition, as a last chance, stand over to 07/08/2017. On the adjourned date of hearing no request for any further adjournment would be entertained. The Court shall proceed to pass appropriate orders including orders dismissing the petition for non-prosecution.
2. Today when the matter is called out, Ms.Aditi Naikare, the learned counsel for the petitioner states that attempts to contact the petitioner though made, have not been successful.

3. The record indicates that the petitioner landlord has already obtained possession of the suit premises. Possibly on account of this reason, the petitioner may not be interested to further pursue this matter. Accordingly, this petition is dismissed for non-prosecution.

(M. S. SONAK, J.)