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

WRIT PETITION NO. 5338 OF 2001

The Executive Engineer Minor Irrigation (Local) ...Petitioner

VS

Mr Mangeni Bhiva Lavate

...Respondent.

None for the parties.

.....

.....

CORAM : **PRASANNA B. VARALE, J.**
AUGUST 14, 2017.

P.C. :

None for the Petitioner. Perusal of the order dated 19th June, 2017 shows that, as none appeared for the Petitioner on two dates of hearing, the Petition was listed under the caption "**For Dismissal**". On 29th June, 2017 also none appeared for the Petitioner, the Petition was dismissed for non-prosecution. Later on learned Counsel for the Petitioner appeared and prayed for recall of the order. The order of dismissal was recalled and the Petition was restored to file. The learned Counsel for the Petitioner was directed to intimate the next date of hearing to the learned Counsel for the Respondent.

2 Today none appears for the Petitioner. It seems that the Petitioner is not interested in prosecuting the Petition. The Petition is dismissed for non-prosecution. No order as to costs.

(PRASANNA B. VARALE,J.)