

Sequeira

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

WRIT PETITION NO. 3468 OF 1998

Usha Chandrakant Nijampurkar & ors. .. Petitioners
Vs
Rajendra Balkrishna Salunke. .. Respondent

None for Petitioners.

Mr.Rajesh Parab i/b Mr.D.S.Savant, for the Respondent.

***Coram : N.M.Jamdar, J.
Date : 4 July 2017.***

P.C. :

On 17 November 2016, following order was passed -

'The petition was once dismissed and thereafter restored. When the matter is called out, none appears for the Petitioner. Stand over to week commencing from 19th December 2016. The Petitioner is put to notice that if further adjournments are sought, the Court may consider grant of compensation for continuing the interim relief. The learned counsel for the Respondent states that an affidavit in that regard will be filed before the next date.'

Thereafter on 3 July 2017, following order was passed-

On 17th November, 2016, when this petition was listed for final hearing, none appeared for the Petitioners. Today Mr.Rajesh Parab, learned advocate

appearing for the Respondent submits that the Petitioners-tenant have already vacated the premises and therefore they may not be interested to pursue this petition. However, as a last chance, the petition be placed on board on 4th July, 2017 under the caption for “disposal”/ “dismissal”.

2. None appears for Petitioners. The Petition is notified on board for 'dismissal'. learned counsel for the Respondent states that Petitioners have already vacated the suit premises. It appears that the Petitioners have lost interest in prosecuting this petition, which is accordingly dismissed. Rule discharged.

(N.M.Jamdar, J.)