

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3253 OF 1998

(Modistone Limited [formerly known as Bombay Tyres Intl. Ltd.] Vs. Shahenshah Wali Khan and another)

Office Notes, Office Memoranda of Coram, appearances, Court's orders, or directions, and Registrar's Orders	Court's or Judge's orders
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None for Petitioner and Respondents.

CORAM : R. G. KETKAR, J.**DATE : 15TH JUNE, 2017****P.C.:**

None appears for the petitioner when the matter is called out. None appeared for the petitioner even on 12.06.2017.

2. Perused the order dated 12.06.2017. It was recorded therein that perusal of the office remark dated 22.02.2016 shows that bank guarantee given by respondent No.1 expired on 04.12.2016. Respondent No.1 has not furnished fresh bank guarantee and the letter issued to the first respondent returned with the remark 'dead'. No steps are taken by the petitioner for brining legal representatives of respondent No.1, since deceased, on record. Advocate representing respondent No.1 is also reported to have died. In view thereof, the matter was adjourned till today under the caption 'for dismissal'.

3. As none appears for the petitioner and no steps are taken for bringing legal representatives of respondent No.1 on record, it appears that petitioner is not interested in pursuing this Petition. Hence, Petition is dismissed in default. Rule is discharged with no order as to costs.

(R. G. KETKAR, J.)

Minal Parab