

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8984 OF 2013

Ashok Ramajilal Khandelwal .. Petitioner
vs.
Prabhakar M. Motkar
(since deceased) by L.Rs. .. Respondents

None for Petitioner.
Ms Gauri Godse for Respondents.

CORAM : M. S. SONAK, J.
DATE: 08 AUGUST 2017

P.C :

- 1] None for the petitioner.
- 2] Ms Godse, learned counsel for the respondents points out that even before ad interim relief was granted by this Court, the decree of eviction concurrently made by the trial court and the appeal court, had already been executed. She submits that such execution was in the presence of the petitioner and this is evidenced from the Bailiff's report which has been produced along with the affidavit filed by the respondents. She submits that this fact was however suppressed from the court at the stage of applying for ad interim reliefs.
- 3] In the aforesaid circumstances, it is possible that the petitioner has lost interest in pursuing this matter. The petition is dismissed for non prosecution. Ad interim relief granted earlier is vacated.

(M. S. SONAK, J.)