

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.478 OF 2006

Haji Ali Dargah Trust and others **...Petitioner**

Versus

**Municipal Corporation of Greater
Mumbai and others** **...Respondents**

None for the Petitioner.

Mr. Mohit Jadhav, AGP for the Respondent Nos.4, 5 & 6.

**CORAM : S. V. GANGAPURWALA AND
A. M. BADAR, JJ.**

DATE : 27th JULY, 2017

P. C. :

1. The matter was called out on 13.07.2017. The Learned Counsel appeared for the Petitioner and stated that he does not have any instructions. We adjourned the matter with a specific observation that if the matter is not worked out on the next date, the Court would be constrained to dismiss the matter.

2 Today when the matter is called out, none appears for the Petitioner.

3 The Learned AGP for Respondent Nos.4, 5 and 6

submits that even PIL is filed bearing No.10 of 2016 before this Court. The present Petitioner has assailed the order passed in PIL before the Apex Court. The Apex Court had under its order dated 13.04.2017 allowed the Petitioner Haji Ali Dargah Trust to remove all the remaining encroachment besides an area of 171 sq.mtrs. of leased area, over which the mosque subsists. It was also assured by the Trust that the entire encroachment shall be removed on or before 08.05.2017.

4 As none appears for the Petitioner, the Writ Petition is dismissed for non-prosecution. Rule discharged.

(A. M. BADAR, J.)

(S. V. GANGAPURWALA, J.)