

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

**WRIT PETITION NO. 1660 OF 2004**

**Vijay H. Shah. ..Petitioner**  
**Vs.**  
**The State of Maharashtra and ors. ..Respondents**

**WITH**  
**CHAMBER SUMMONS NO. 292 OF 2004**  
**IN**  
**WRIT PETITION NO. 1660 OF 2004**

**Vijay H. Shah. ..Petitioner**  
**Vs.**  
**The State of Maharashtra and ors. ..Respondents**

**And**  
**Property Redevelopers Association ..Applicants.**

**None for the Petitioner.**

**Mr. Susmit Phatale i/b. Mr. Y.M. Chaudhari, for applicant in Chamber Summons.**

**Mr. G.W. Mattos, AGP for the Respondent-State.**

**CORAM : R. M. SAVANT, J &  
SMT.SADHANA S. JADHAV,J**  
**DATE : 16<sup>th</sup> JUNE, 2017**

**P.C.**

1           None appears for the Petitioner. On 9<sup>th</sup> June, 2017 when the Petition was listed for final hearing, no appearance was put up on behalf of the Petitioner. It seems that the issue raised in the above petition is covered by the Judgment of the Apex Court, reported in **AIR 2008 SC page 502 in the**

**matter of Jayant Achyut Sathe v/s. Joseph Bain D'Souza and others.**

Hence, probably the absence of the Petitioner. This Court is therefore, constrained to dismiss the above Petition for non-prosecution. Rule is discharged.

2 In view of the dismissal of the above Petition, the above Chamber Summons does not survive and to accordingly stand disposed of as such.

**[SMT.SADHANA S. JADHAV,J]**

**[R.M.SAVANT, J]**