

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3165 OF 1997

Shankarrao Nanasaheb Patil (deceased)
through LRs Indubai Shankarrao Patil

...Petitioner

Versus

Babasaheb Sidgonda Patil & ors.

...Respondents

None for the Petitioner.

Mr. G. N. Salunkhe, for Respondent no.1.

CORAM: M. S. SONAK, J

DATED: 17th December, 2018

PC:-

1. The learned Counsel for Respondent no.1 points out that this petition has been dismissed for non-prosecution on previous occasion as well it is thereafter restored. He submits that by employing said *modus operandi*, the Petitioner has succeeded in taking benefit of interim relief granted in this petition for five long years. He points out that even the order dated 6th July, 2018 for bringing on record legal representative has not been complied with.

2. As on 22nd November, 2018 this Court made the following order:

“1) None for the petitioner. Place the matter on 29th November, 2018 for directions under the caption “dismissal/disposal”.

2] Since this matter pertains to the year 1997, it will not be possible to grant any further accommodation”

3. Today, when the matter is called out, neither the Petitioner nor his Advocate appeared.

4. Taking into consideration the submissions by Mr. Salunkhe, the learned Counsel for Respondent no.1, it is not possible to grant the Petitioner any further accommodation.

5. Petition is therefore dismissed for non-prosecution. Interim orders, if any, are hereby vacated.

[M. S. SONAK J.]