

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

WRIT PETITION NO. 1916 OF 2007

|                        |   |             |
|------------------------|---|-------------|
| Santosh Namdeo Khamkar | } | Petitioner  |
| versus                 |   |             |
| State of Maharashtra   | } |             |
| and Ors.               | } | Respondents |

None for the petitioner.

Mr. Milind More-Additional Government  
Pleader for the respondents.

CORAM :- S. C. DHARMADHIKARI &  
SMT. BHARATI H. DANGRE, JJ.

DATE :- JANUARY 16, 2018

P.C. :-

1. This petition is pending in this court for the past more than 10 years. It initially appeared on 29<sup>th</sup> January, 2008, but was adjourned on the ground of personal difficulty of the arguing advocate. On 11<sup>th</sup> March, 2008, once again it was adjourned, but this time *sine die*. That was because the petitioner desired to amend the petition. Then, the amendment application was also allowed on 7<sup>th</sup> May, 2013. After the amendment application was allowed, good two years had lapsed, the matter appeared on board on 2<sup>nd</sup> September, 2015 and was placed for admission on 16<sup>th</sup> September, 2015. On that date as well, it was adjourned to 1<sup>st</sup> October, 2015. After these dates, the matter appeared on 18<sup>th</sup>

August, 2017, but could not reach. It could not be taken up on 24<sup>th</sup> August, 2016 as well.

2. Thus, the matter is continuously being listed with the same appearances and today as well, when it is called out, we find the absence of the petitioner and his advocate. We are not obliged to carry the matter further, We think that if this court expects the advocates to appear and argue cases which are pending for more than 10 years and not seek unnecessary adjournments, then, it is but fair and reasonable in its approach. This is enough justification to dismiss the writ petition for want of prosecution. It is dismissed for want of prosecution.

(SMT. BHARATI H. DANGRE, J.)

(S.C.DHARMADHIKARI, J.)