

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1109 OF 2018
IN
WRIT PETITION NO. 877 OF 2010

Sadanand Raghunath Tendolkar ...Applicant
In the matter between
Ratna Ramkrishn Shetty and ors. ... Petitioners
Versus
Sadanand Raghunath Tendolkar and anr ...Respondents

Mr.Yuvraj Patil i/b. Mr.Suresh Sabrad for the applicant.
None for the respondent/original petitioner.

CORAM : DAMA SESHADRI NAIDU, J.

DATE : 25th SEPTEMBER 2019.

P.C. :

. When the matter was called out on 18th September 2019, nobody appeared for the petitioners, so the matter was adjourned for today, under the 'dismissal' caption.

2. Even today, none appears for the petitioners.

3. Now the respondent's counsel informs the Court that this writ petition arose out of an interim order passed by the Appellate Bench of

the Small Causes Court, Mumbai. According to him, now, the appeal stands disposed of. He handed over a copy of the judgment, dated 30th March 2017 in Appeal No.663 of of 2006. Under these circumstances, nothing survives in this writ petition, he urges.

4. As the petitioners have been persistently absent, I reckon they have no interest in prosecuting the writ petition. Besides, now it emerges that even the very appeal, out of which this writ petition arose, stands disposed of.

5. I, therefore, close this writ petition as having become infructuous. In view of disposal of the writ petition, civil applications, if any, stand disposed of.

6. The respondent's counsel, however, informs that the petitioners-tenants have already filed a Civil Revision Application against the judgment, dated 30th March 2017, passed in Appeal No.663 of 2017.

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[DAMA SESHADRI NAIDU, J.]