

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

WRIT PETITION NO. 673 OF 2010

K.J.Somaiya Medical Trust	}	
and Ors.	}	Petitioners
versus		
The State of Maharashtra	}	
and Ors.	}	Respondents

WITH
WRIT PETITION NO. 1750 OF 2004
WITH
WRIT PETITION NO. 893 OF 2005
WITH
WRIT PETITION NO. 942 OF 2005
WITH
WRIT PETITION NO. 943 OF 2005
WITH
WRIT PETITION NO. 957 OF 2005
WITH
WRIT PETITION NO. 958 OF 2005
WITH
WRIT PETITION NO. 999 OF 2005
WITH
NOTICE OF MOTION NO. 768 OF 2006
WITH
WRIT PETITION NO. 537 OF 2006
WITH
NOTICE OF MOTION NO. 89 OF 2007
WITH
WRIT PETITION NO. 1101 OF 2006
WITH
WRIT PETITION NO. 1028 OF 2007
WITH
WRIT PETITION NO. 2388 OF 2007
WITH
WRIT PETITION NO. 2388 OF 2007
WITH
WRIT PETITION NO. 729 OF 2010
WITH
NOTICE OF MOTION NO. 514 OF 2007

Ms.Parinaz Nagporwala Dastur I/b.M/s.Hariani and Co. for the petitioners in WP Nos. 673/2010, 1750/2004, 999/2005 and for respondent nos. 5 and 6 in WP/893/2005, respondent no. 4 in WP/943/2005 and WP/958/2005, for respondent no. 3 in WP/957/2005 and for respondent nos. 2 and 3 in WP/729/2010.

Ms.Sharon D'souza I/b. Mr.I.S.Thakur for petitioner in WP/957/2005.

Ms.P.H.Kantharia-Government Pleader for respondent nos. 1 and 2 in WP/673/2010.

Ms.Jyoti Chavan-AGP for respondent no. 1 in WP/1750/2003.

Ms.P.H.Kantharia-Government Pleader with Ms.Jyoti Chavan-AGP for State in WP Nos. 943/2005, 957/2005, 958/2005, 999/2005, 1028/2007 and 2388/2007.

Ms.Uma Palsuledesai-AGP for respondent no. 4 in WP/729/2010.

Ms.Trupiti Puranik for Municipal Corporation of Greater Mumbai.

Mr.R.V.Govilkar with Mr.Mihir Govilkar for respondent no. 7 in WP/893/2005.

None present for the petitioners in WP Nos. 893/2005, 942/2005, 943//2005, 958/2005, 537/2006, 1101/2006, 1028/2007, 2388/2007 and 729/2010.

**CORAM :- S. C. DHARMADHIKARI &
M. S. KARNIK, JJ.**

DATE :- MARCH 1, 2019

P.C. :-

1. On the earlier occasion (25th January, 2019), we had passed the following order:-

“These matters were listed by the Registry simply because they are pending before this Court for one decade and more.

2. It is stated that because of subsequent development, and namely a law by the competent legislature to regulate the charging of fees by private entitles such as K.J.Somaiya Medical Trust and others, the issue raised in the Writ Petitions is now rendered academic. Now the law will be governing the issue.

3. The Managements, therefore, have instructed their Advocates to state before the Court that in the event the students and the parents give up their challenge equally the Managements would respond, the Petitions would then stand withdrawn without adjudication on merits.

4. Both sides, in the light of the subsequent development, therefore, pray for time.

5. At their request, we post this group under the same caption on 1st March, 2019.”

2. We do not find any response from the petitioners or their advocates. In fact, in several petitions, nobody appeared. We are, therefore, constrained to dismiss each of these petitions for want of prosecution. Interim/ad-interim order, if any, to stand vacated forthwith.

(M.S.KARNIK, J.)

(S.C.DHARMADHIKARI, J.)