

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

WRIT PETITION NO.1846 OF 2013

Smt. Sugandha Gopal Prabhu
(since deceased)

1. Sadashiv Gopal Prabhu & Ors.

.... Petitioners

Vs.

The Municipal Corporation of Greater
Mumbai & Ors.

.... Respondents

None for the Petitioners.

Ms K.H. Mastakar for Respondent Nos.1 to 5.

CORAM: S.C. DHARMADHIKARI &
B.P. COLABAWALLA, JJ.

DATE : MARCH 22, 2019

P.C:

1. This petition is pending in this Court from 30-8-2012. It has been listed on 22 occasions prior to this date and whenever it was listed, beyond seeking time nothing effective has been done. The petitioners and their Advocate, whose names are correctly displayed, are absent even today. On 3-3-2014, the following order was passed in the petition:-

“The learned counsel appearing for the Petitioner, makes statement that the sole Petitioner has expired. Therefore, the Petition is abated.

2. *The Petition is accordingly disposed of, as abated.*

3. *Liberty is granted to take steps, in accordance with law.”*

Thereafter, by virtue of an order of 30-6-2014 in Notice of Motion No.139 of 2014, the above order was recalled and the petition was restored to file. From 10-8-2016, this Court has been finding that the Advocate for the petitioners is intermittently present. The last time he was present was on 27-6-2017.

2. In the circumstances, this writ petition is dismissed for want of prosecution.

(B.P. COLABAWALLA, J.)

(S.C. DHARMADHIKARI, J.)