

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL WRIT PETITION NO. 2505 OF 2016

Ganesh Annu Moilee

.. Applicant

Vs.

Air India Ltd & Ors.

..Respondent

Mr. Ganesh A Moilee, Petitioner in person present.

Mr. Arsh Mishra i/b M. V. Kini & Co., Advocate for Respondent No. 1.

CORAM : C.V. BHADANG, J.

DATE : 9TH DECEMBER, 2020

PC.

1. The petitioner is present in person. He states that he has vacated the flat and handed over vacant possession to the respondent on 28th November 2020.

2. The petitioner states that he could not comply with the undertaking within time on account of the intervening circumstances of lockdown.

3. The learned counsel for the respondent in all fairness states that in view of the fact that the flat is vacated and handed over to

the respondent, the respondent does not intend to proceed any further.

4. In view of the fact that now the flat has been vacated and the respondent does not want to proceed any further, the explanation given by the petitioner is accepted. In that view of the matter, nothing survive in the petition. The petitioner in person states that he does not want to prosecute the petition. The petition is dismissed for want of prosecution, with no order as to costs.

C.V. BHADANG, J.