

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 1084 OF 2019

Smt. Shakuntala w/o Suresh Bobde and others

vs.

Ramesh Purushottam Gadhihar and another

Office Notes, Office Memorandum of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. H. I. Biherani, counsel for the respondent No.1

CORAM : MANISH PITALE J.

DATED : 21/12/2020

On 11th December, 2020, when this petition was listed for hearing, this Court passed the following order :-

“ On 04/03/2020, this Court had passed the following order.

“None appears on behalf of the petitioners, while the learned counsel has appeared on behalf of respondent No.1.

2. A perusal of order dated 13/02/2019, shows that this Court issued notice on the basis of contentions raised on behalf of the petitioners that although their rights were adversely affected by compromise decree passed on the basis of a compromise pursis filed before the Lokadalat, they had not consented for such a compromise.

3. The petitioners failed to appear before this Court even on the earlier date of listing. It is submitted on behalf of the learned counsel appearing for respondent No.1 that the petitioners are enjoying the interim order in their favour and they are avoiding appearance before this Court.

4. In view of above, list this petition for consideration as a matter of last chance on **18/03/2020.**

5. It is made clear that if there is no appearance on behalf of the petitioners on the next date, this Court will proceed to dismiss the writ petition.”

2. Today, when the Writ Petition is listed again, none has appeared on behalf of the petitioners.

3. But, since this Petition is listed today for the first time after the period of lock-down and resumption of physical hearings in this Court, a further last chance is being granted to the petitioners for appearance before this Court.

4. Hence, list this Writ Petition under the caption “for dismissal” on 21st December, 2020.”

2. Even today, when the petition is called out for hearing, none has appeared on behalf of the petitioner, while the learned counsel appearing for respondent No.1 is present in Court for argument.

3. In view of the above, the writ petition is dismissed for want of prosecution.

JUDGE