

Vidya Amin

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

WRIT PETITION NO.5109 OF 2006

Prakash Mahadev Mohite & Ors. ...Petitioners
Vs.
Sheela Jairam Pachindre & Ors. ...Respondents

**AND
WRIT PETITION NO.5110 OF 2006**

Prakash Mahadev Mohite & Ors. ...Petitioners
Vs.
Rajendra Vilas Kasbekar (Jadhav) & Ors. ...Respondents

**AND
WRIT PETITION NO.5112 OF 2006**

Prakash Mahadev Mohite & Ors. ...Petitioners
Vs.
Haridas Ramkrishna Sonawane & Ors. ...Respondents

None for Petitioner
Ms Aakanksha Helaskar i/b Mr A. M. Kulkarni for Resp No.1
Mr M.M. Pable AGP for State

**CORAM : G.S. KULKARNI, J.
DATE : 27th AUGUST 2021**

PC.:

1. Learned Government Pleader, Appellate Side had circulated in the Registry a list of old infructuous matters so that these matters could be listed and disposed of as infructuous. These petitions are one of such matters in the list. These matters were accordingly listed before this Court on 20 August, 2021 with a prior notice dated 17 August, 2021, by which the parties were intimated that if the proceedings have not

become infructuous, then a praecipe be submitted in the office before its listing on 20 August 2021.

2. On 20 August, 2021, when these petitions were listed before the Court and was called out, none appeared for the petitioners nor a praecipe in response to the notice dated 17 August, 2021 stating that the matters have not become infructuous was placed on record. However, to give a second chance to the parties, the Court adjourned these petitions, to be listed today with a specific advance notice dated 24 August, 2021, that the parties are again permitted to submit a praecipe if the proceedings are not infructuous. Despite such second notice, no praecipe is received in the present proceedings on behalf of the petitioners.

3. Ms. Helaskar, learned counsel representing for respondent no. 1 in all these petitions states that these petitions are in fact rendered infructuous.

4. It, therefore, appears that the petitioners are not interested to prosecute these petitions and/or they have become infructuous. These petitions are, accordingly, disposed of, however, with liberty to the petitioners to revive these petitions in the event the petitioners feel that the cause of action still survives.

5. Disposed of in the above terms. No costs.

(G.S. KULKARNI, J.)