

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

WRIT PETITION NO. 11896 OF 2018

Smt. Bhanbai Mulji Shah
Through POAH Jayprakashnarayan D. Pandey ... Petitioner
Vs.
State of Maharashtra & Ors. ... Respondents

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None for the Petitioner.
Mr. S. D. Rayrikar, AGP for the Respondent No.1-State.
Mr. R. P. Oza for the Respondent Nos. 2 and 3.
Mr. Prakash Raman, Upper Divisional Clerk, Estate Department,
Union of India.

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CORAM: MADHAV J. JAMDAR, J.

DATE : 5th AUGUST, 2021.

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1. None appears for the Petitioner.
2. This petition appeared on board on 4th August, 2021 and as none appeared for the Petitioner, to give one more opportunity to the Petitioner, the matter was adjourned to 5th August, 2021. Today also none appears for the Petitioner.
3. Mr. R. K. Ojha, learned counsel appearing for the Respondent No.2-the Estate Officer, Government of India and Respondent No.3-the Assistant Estate Manager, Government of India states that the premises in question bearing shop No.5, Building No.12, Sector III, Kane Nagar, Mumbai-400037 is sealed by the authorities on 14th February, 2019.

4. Mr. Prakash Raman, Upper Divisional Clerk, Estate Department, Union of India is personally present in Court and he produces panchnama report of sealing the said premises. The same is taken on record and marked 'X' for identification.

5. In the Writ Petition the impugned order is dated 27th August, 2018 passed by the learned Principal Judge, Greater Bombay in Miscellaneous Appeal No. 155 of 2017. By the said order said Miscellaneous Appeal was dismissed. In said Miscellaneous Appeal No. 155 of 2017 order of eviction dated 10th November, 2017 passed by the Estate Officer under sub-section 1 of Section 5 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 was challenged. There is no stay order granted in this petition. Thus, it is clear that the eviction order passed under the provisions of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 is confirmed by the learned Principal Judge, Greater Bombay on 27th August, 2018. The said shop No.5 is already sealed by the Central Public Works Department, Government of India on 14th February, 2019.

6. Thus, it appears that the Petitioner is not interested in pursuing the present Writ Petition. Therefore, Writ Petition is disposed of.

(MADHAV J. JAMDAR, J.)