

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 4222 OF 2017

Smt. Kanchanmala wd/o Subhash Tharewal Vs. Municipal Council, Umrer & Anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri Amit Band, Advocate for petitioner.
Smt. B.P. Maldhure, Advocate for respondents.

CORAM : V.M. DESHPANDE, J.
DATE : 9th MARCH, 2021.

On the first occasion, Shri Amit Band, learned counsel for the petitioner was not present, therefore, suo motu the Court passed over the matter. On second occasion, when the writ petition was called out, the learned counsel for the petitioner was not present.

(2) Smt. B.P. Maldhure, learned counsel for the respondents states that Shri Amit Band, learned counsel is in the Court and he is informed to her that another counsel Shri Raghorde will be appearing in this matter.

(3) Her statement is accepted.

(4) Be that as it may, it is the duty of Shri Amit Band, learned counsel for the petitioner to appear in the Court when the matters are called out. It shows that Shri Amit Band, learned counsel for the petitioner is not interested in this matter.

(5) The writ petition is dismissed for want of prosecution.

(6) If restoration application is filed, the Registry shall not accept the same unless the petitioner deposits Rs.5,000/- by way of costs to the High Court Legal Services Sub-Committee, Nagpur.

JUDGE

Later on at 02:00 p.m.

1) In the morning session, when the writ petition was called out for hearing, the counsel for the petitioner was absent. Therefore, the matter was dismissed for want of prosecution however the order was not signed.

2) At 02:00 P.M., Shri Amit Band, learned counsel for the petitioner submits that he has instructions from the petitioner to withdraw this writ petition.

3) Since the order passed in the morning session was not signed therefore it is not an order.

4) Smt. Maldhure, learned counsel for the respondents has no objection.

5) Hence, the writ petition is disposed of as withdrawn. No order as to costs.

JUDGE

Wagh