

Digitally
signed by
TRUSHAR
TUSHAR
MOHITE
Date:
2023.07.18
15:36:54
+0530

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

WRIT PETITION NO.2115 OF 2016

Shri Ankush Laxman Pawar and Ors. Petitioners

Vs.

The State of Maharashtra and Ors. Respondents

Mr.Manjeet Lotankar i/b Mr.Dhananjay Rananaware for Respondent no.4

Mr.A.I.Patel, Add. G.P. a/w Mr.K.S.Thorat, A.G.P. and Ms.K.N.Solunke,
A.G.P. for the State

**CORAM: K.R. SHRIRAM, J &
FIRDOSH P. POONIWALLA, J.**

DATED : 13TH JULY 2023

P.C.

1. Petitioners have been enjoying the stay since 11th February 2016. The stay was extended from time to time. Matter was also getting listed for admission from time to time. On 24th August 2018, the order sheet indicates “none for the petitioners”. On 7th June 2019, the order sheet again indicates “none for the petitioners”. The said order reads as under:

“1. None appears for the Petitioner. Interim relief granted by this Court on 17th February, 2016, shall be continued only for a period of one week from today.

2. Stand over to 14th June, 2019, for consideration.”

2. On 14th June 2019, the matter did not get called out for paucity of time. The order sheets on 23rd July 2019, 11th September 2019 and 25th September 2019 state “none for the petitioner”. Order of 6th November 2019 reads as under:

“ On the request of learned Counsel for the Petitioners, stand over to 20th November, 2019.”

3. On 20th November 2019, order sheet states as under:

“None for the Petitioners. Place the Petition under the caption of ‘dismissal’ on 27/11/2019.”

4. On 27th November 2019, petitioners appeared and sought adjournment. On 8th June 2023, following order came to be passed:

“1. Mr.Gokhale seeks time. From the petition it does not appear that all petitioners have signed. Even, the vakalatnama is not traceable.

2. Petitioners to put their house in order before the next date.

3. Stand over to 13.07.2023.”

5. Mr.Patel states that the petitioners have done nothing thereafter.

6. Even today nobody is present for petitioners.

7. In the circumstances, petition dismissed.

(FIRDOSH P.POONIWALLA, J.)

(K.R. SHRIRAM, J.)