

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8056 OF 2013

Rakesh Tukaram Sawant

... Petitioner

Versus

Brihanmumbai Electricity Supply &
Transport undertaking, Mumbai

... Respondent

None for the Petitioner.

Mr.Bhavesh Wadhvani i/b. M/s.M.V. Kini & Co., Advocate for the
Respondent.

**CORAM : NITIN JAMDAR AND
MANJUSHA DESHPANDE, JJ.**

DATE : 16 October 2023.

P.C. :

The Petitioner had filed this Petition on 2 August 2013 seeking a direction that electricity connection be provided to the Petitioner. The Petition was dismissed for non prosecution on 25 November 2013 as none appeared for the Petitioner for two occasions. It was recalled. Again on 20 November 2015 the Petition was dismissed for non prosecution, and, thereafter it was recalled. A civil application was taken out was dismissed and thereafter it was recalled. The Petition thereafter is not being prosecuted. None appears for the Petitioner. Even the Board is notified in advance. This can be because the cause in the Petition may not be survived. Even otherwise it is not possible that there would not be any

subsequent development in the last decade. Therefore we dispose of the Writ Petition keeping it open to the Petitioner that if the cause survives, to make a fresh application to the Respondent. It would be considered on its own merits including examining the locus of the Petitioner.

2 Writ petition is accordingly dismissed.

(MANJUSHA DESHPANDE, J.)

(NITIN JAMDAR, J.)