

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6091 OF 2005**

Shri. Fakirmohamad Suleman Kasab

...Petitioner

Versus

Shri. Babasaheb Abdul Mulani through Power of
Attorney & Ors.

...Respondents

**Ms. Rutuja Khatmode, i/b Umesh R. Mankapure, for the Petitioner.
Mr. Shrishail Sakhare, for Respondent No. 1.**

CORAM Dr. Neela Gokhale, J.

DATED: 9th January 2024

PC:-

1. The Petitioner seeks quashing of the order dated 7th March 2005 passed by the Joint Civil Judge, Senior Division, Sangli in Special Darkhast No. 32 of 2002.
2. The Petitioner had sought a stay on the execution proceedings initiated by the original Complainant before the Civil Court. The stay was refused. The Petitioner has challenged this order of Civil Court, refusing stay.
3. By order dated 27th March 2015, the Petitioner was given two weeks time from the date of order to make an application seeking to set aside the abatement of petition as well as condonation of delay in

making the said application. Even on the adjourned date, i.e., on 16th August 2016, this Court had extended time to carry out the amendment by two weeks.

4. Mr. Shrishail Sakhare, learned Counsel for the original Complainant, who is Respondent No. 1 before this Court states that even today his execution application is pending and he has not received any benefit of the order passed by the State Consumer Commission.

5. In these circumstances, I see no reason to grant any further indulgence to the Petitioner.

6. Petition is thus dismissed for non-compliance of the earlier orders of this Court.

(Dr. Neela Gokhale, J.)

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