

Shivgan

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.524 OF 2006

Samarth Wd/o Rajdeo Singh Harbans Singh
(Decd.) by LRS. Rampratapsingh s/o Rajdeosingh
Harbans Singh

...Petitioner

Versus

Sunil Ramji Singh and Ors.

...Respondents

None for the Petitioner.

Mr PP Kakade, GP, with O.A.Chandurkar, Addl.GP with RS Pawar,
AGP for the Respondent-State.

CORAM: Dr. Neela Gokhale, J.

DATED: 8th January 2024

PC:-

1. The learned Government Pleader (Appellate Side) had circulated in the Registry a list of old infructuous matters so that these matters could be listed and disposed as infructuous. This petition is one such matter.

2. By order dated 25th September 2023, it has been recorded that despite specific directions to the learned counsel for the Petitioner to take steps against unserved Respondent No.1, Petitioner neither appeared before the Court nor has taken any steps till date. Thus, having regard to the powers conferred upon the

Registrar (Judl-I) by virtue of Chapter XVII, Rule 8 rub-rule (iii)(d) of the Bombay High Court Appellate Side Rules, 1960, the writ petition stood dismissed against the Respondent No.1 for failure to prosecute. Even today when the matter is called out, none appear for the Petitioner.

3. It thus appears that the Petitioner is not interested in prosecuting this petition. The petition is, accordingly, dismissed, however, with liberty to the Petitioner to revive the petition in the event the Petitioner feels that the cause of action still survives.

4. The petition is disposed as dismissed with no order as to costs.

(Dr. Neela Gokhale, J)