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

WRIT PETITION NO. 1030 OF 2003

Ananda Dhondiram Ingawale and Anr.

.. Petitioners

Versus

Sushila Rajaram Bhopale and Ors.

.. Respondents

- Mr. Tukaram Shendge i/by Mr. Pratap Patil, Advocate for
Petitioners.

CORAM : MILIND N. JADHAV, J.

DATE : MARCH 07, 2024.

P.C.:

- 1.** Heard Mr. Shendge, learned Advocate for the Petitioners.
- 2.** The order impugned in the present Writ Petition is passed below Exhibit “51” in Regular Darkhast No.2 of 2000. By virtue of the said order, the possession warrant under Order XXI Rule 35 of the Code of Civil Procedure, 1908 as per the reports submitted was directed to be issued and it was also directed that if there is obstruction of the Judgment Debtor, the decree would be executed by breaking open the locks, if any put up by the Judgment Debtor. Police aid was also allowed. Unless and until the present status of the Suit property is not informed to the Court, this Court would not be in a position to hear the present Writ Petition and pass any order.
- 3.** Efforts are made by this Court by passing appropriate directions on 18.01.2024 followed by the directions on 25.01.2024 and

22.02.2024.

4. Today, Mr. Shendge, learned Advocate appears instructed by Advocate Mr. Patil for the Petitioners. He submits that Advocate on record for the Petitioners has also taken efforts to attempt and establish contact with the Petitioners, but he has failed in establishing contact with the Petitioners and he does not have any information about the present status of the Suit property.

5. In view of the above, unless and until the present status of the Suit property is informed to the Court which is in respect of the order passed in Execution proceedings since long, this Court would not be in a position to adjudicate and decide the merits of the matter in the present Writ Petition.

6. In that view of the matter, Writ Petition is dismissed for want of prosecution and present status of the property by the Petitioners. Liberty is granted to Petitioners to move the Court, if so desired.

7. Writ Petition is disposed.

[MILIND N. JADHAV, J.]

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