

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5591 OF 2005

Mohammedwalla Trust And Anr.

Petitioners

V/s.

The State Of Maharashtra And Ors.

Respondents

None for the Petitioner.

Mr. P. P. Kakde, G. P. a/w Mr. Y. D. Patil, AGP for the Respondent/State.

**CORAM : G. S. KULKARNI &
FIRDOSH P POONIWALLA, JJ.**

DATE : FEBRUARY 05, 2024

PC :

1. Learned Government Pleader, Appellate Side had circulated with the Registry a list of old infructuous matters so that these matters could be listed and disposed of as infructuous. This petition is one of such matters in the list. This list of infructuous matters was notified by the office by its notice dated 25 January 2024, by which the parties/advocates were intimated that if the proceedings have not become infructuous, then a praecipe be submitted in the office before its listing stating that the matter needs to be adjudicated. Accordingly, after such prior notice, this matter is listed today before this Court.

2 No praecipe has been received on behalf of the petitioners or the

advocate for the petitioners stating that something would survive for adjudication in this petition.

3 Even when this petition was called out, none appears for the petitioner. It, therefore, appears that the petitioner is not interested to prosecute this petition and/or it has become infructuous. The petition is, accordingly, disposed of, however, with liberty to the petitioner to revive the petition in the event the petitioner feels that the cause of action still survives.

4. Disposed of in the above terms. No costs.

5. Civil Application, if any, also stands disposed of.

(FIRDOSH P. POONTWALLA, J.)

(G. S. KULKARNI, J.)