

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8414 OF 2006

Dr.viraf J.kapadia And Ors.

Petitioners

V/s.

State Of Maharashtra And Ors.

Respondents

WITH

WRIT PETITION NO. 8762 OF 2005

Bomi Jal Mistry And Ors.

Petitioners

V/s.

Joint Charity Commissioner Of Mumbai And Ors.

Respondents

WITH

CIVIL APPLICATION NO. 1636 OF 2006

IN

WRIT PETITION NO. 8762 OF 2005

Bomi Jal Mistry And Ors.

Petitioners

V/s.

Joint Charity Commissioner Of Mumbai And Ors.

Respondents

None for the Petitioner.

Mr. P. P. Kakde, G. P. a/w Mr. S. H. Kankal, 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. These petitions are also 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, these matters are 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 these petitions.

3 Even when these petitions were called out, none appears for the petitioners. It, therefore, appears that the petitioners are not interested to prosecute these petitions and/or they have become infructuous. These petitions are, accordingly, disposed of, however, with liberty to the petitioners to revive these petitions, in the event, the petitioners feels that the cause of action still survive.

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.)