

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4916 OF 2024

Kedar Jayan Gandhi & Ors.

... Petitioners.

V/s.

Pune Municipal Corporation & Ors.

... Respondents.

Mr. Shardul Diwan, i/by Sachin Daswadikar for the Petitioners.

CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.DATE : 11th November 2024.

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1) Advocate Mr. Shardul Diwan appeared in the matter and sought adjournment on the ground that, the Advocate on record is in personal difficulty. Record indicates that, the Advocate on record for the Petitioner never took any pains even to circulate the Petition since the date of its filing. On earlier two occasions, Petition was adjourned due to paucity of time by the concerned Bench.

1.1) We, therefore directed Mr. Shardul Diwan either to pay costs for adjournment or to argue the matter. At his request the petition was kept back and called out for hearing at about 5.30 pm.

1.2) At 5.30 pm Mr. Diwan on instructions from Advocate

Daswadikar informed us 'to pass necessary orders in the Petition'.

2) We deprecate the deplorable practice adopted by Mr. Shardul Diwan. Taking into consideration the fact that, he being a junior Advocate and is not aware of the decorum to be maintained in the Court, by expressing latitude we deem it appropriate to adjourn the matter to 14th November, 2024 subject to condition that the Petitioners shall pay a cost of Rs. 10,000/- to the Kirtikar Law Library, High Court, Bombay on or before 13th November, 2024.

3) It is made clear that if the Petitioners fail to pay the said costs within stipulated period, the Petition shall stand dismissed without further reference to this Court and in future shall not be restore on any point.

4) If the Petitioners pay the costs on or before 13th November, 2024, list the Petition on 14th November, 2024 under the caption "For Directions".

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)