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6-WP-2137-1996

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

6 WRIT PETITION NO. 2137 OF 1996

Sandhyaben Ishwarlal Parekh.

VERSUS

Santosh Onkar Bagale And Others.

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None for the Petitioner.

Mr. J. R. Shah, Advocate for Respondent No.1 (through VC).

CORAM : KISHORE C. SANT, J.

DATE : 20th SEPTEMBER 2025.

PC :-

1. Looking to the subject matter of the Suit and the prayers, the learned Advocate for the Respondent submits that the petition has become infructuous.

2. It is seen that the Suit was filed by the present respondent against Respondent-MSEB presently MSEDCL seeking mandatory injunction to supply an electricity connection. The present petitioner happens to be landlord-defendant in the Suit. In the said Suit, the tenant/respondent No.1 filed an application below Exh.5. The learned Civil Judge, Senior

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Division, Nandurbar was pleased to reject the Exh.5 Application. The respondent No.1 challenged order of rejection by filing Misc. Civil Appeal No. 14 of 1992. In the said appeal, he filed an application Exh.5. The learned Additional District Judge, Nandurbar, by order dated 13th March 1992, allowed the application Exh.5. In the said appeal, the learned Court directed the MSEB/MSEDCL authority to supply electricity to the Suit premises by accepting security deposit.

3. This Court, in writ petition, issued notice on 2nd February 1994 granting interim relief in terms of prayer clause (c), which reads as under:

“(c). that pending the hearing and final disposal of the present petition, this Hon’ble court be pleased to stay execution, operation and/or implementation of the order dated 13-3-1992 passed by the Addl. District Judge, Nandurbar, below Ex.5 in Misc. Civil Appeal No.14/92;”

4. It thus appears that even cause of action to file Suit would not survive as on today. Petitioner has also not shown any interest in prosecuting the petition. This Court finds that keeping the writ petition pending would be of no use.

5. Considering above, writ petition stands dismissed.
6. Rule stands discharged.

[KISHORE C. SANT, J.]