



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 1860 OF 1996

Bhawarilal Baktavarmal Daga
(died) through L.Rs.

Kantilal Bhavarilal Daga and others

.. Petitioners

Versus

Bhagchand Punamchand Kathed And Others

.. Respondents

None for the Petitioners.

Mr. Swanand H. Lathkar, Advocate h/f Mr. Subodh R. Shah,
Advocate for Respondent Nos. 2, 3, 6 to 8. .

CORAM : KISHORE C. SANT, J.

DATE : 19th SEPTEMBER, 2025.

PER COURT :-

. This Court had issued notice after transfer of the matter from Principal Seat at Mumbai to this Bench. Notices were issued to the petitioners. The office report shows that, notices of respondent Nos. 1A to 1E were awaited in 2012. Notices of petitioner Nos. 1F to 1H were returned unserved as not residing on given address. No steps are taken by the petitioner. This Court finds that, keeping the petition pending under such circumstances is of no use. The original proceeding started by way of R.C.S.

No. 172/1980 filed by the petitioners – original plaintiffs for eviction of the respondents under the provisions of Bombay Rent Act where the suit was decreed and in the appeal the tenants succeeded by way of judgment and order dated 07.08.1987. The landlord may have lost interest in the writ petition. This Court thus finds that, the writ petition deserves to be dismissed for default.

2. The writ petition stands disposed of as dismissed for default.

(KISHORE C. SANT, J.)

P.S.B.