

Vaibhav

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.102 OF 2025

M/S. Shree Durga Trading Co Through S Shamsil	...Petitioner
<i>Versus</i>	
Ateeq Anwar Agboatwala And Ors.	...Respondents

None for the Petitioner.

CORAM: MADHAV J. JAMDAR, J.
DATED: 6th JANUARY 2025

P.C.:

1. This matter has been called out in the morning session and as none appeared for the Petitioner, the same has been kept back in the afternoon session. In the afternoon session also none appears for the Applicant.
2. The impugned order in the present Writ Petition is Order dated 13th December 2024 passed by the learned Executing Court below Exhibit-23 in Execution Application No.59 of 2018 arising from R.A.E. Suit No. 1043/1806 of 2001. By the impugned order, warrant of possession has been issued and Bailiff has been directed to execute the same by 19th December 2024.
3. This Writ Petition has been filed on 17th December 2024 and the same has been placed today for the first time before this Court. There is

no stay operating in the Writ Petition.

4. Thus the warrant of possession must have been executed and therefore the Petitioner is not interested in prosecuting the Writ Petition.

5. Accordingly, the Writ Petition is dismissed for non-prosecution.

[MADHAV J. JAMDAR, J.]