

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.4371 OF 2025**

Ratndeeep Sakharam Deshmukh & Ors. ....Petitioners  
Vs.  
M/s Bahinabai Construction L.L.P.  
M/s Dudhe Brothers Through Its  
Partner Tukaram Ukarde Dudhe & Ors. ....Respondents

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Mr. Suraj Mhadgut and Ms. Jenny Somaiya i/by Mr. Vilas Mali, for the  
Petitioners.

Mr. S. H. Kankal, AGP for the Respondent-State.

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**CORAM : A. S. GADKARI AND  
SHYAM C. CHANDAK, JJ.**

**DATE : 13<sup>th</sup> JANUARY, 2026.**

**P.C.:-**

1) This Petition was called out for hearing in the morning session. Advocate Mr. Suraj Mhadgut had appeared on behalf of the Advocate on record for the Petitioners. It be noted here that, Advocate Mhadgut had appeared without brief in the Court and casually sought adjournment. This Court did not appreciate the conduct of the concerned Advocate and had directed him to point out, as to how this Petition under Article 226 of the Constitution of India is maintainable. He therefore requested this Court to keep back the Petition and to call in the second session.

1.1) The Petition was thereafter called out for hearing in the second session when Advocate Ms. Jenny Somaiya appeared. When this Court

inquired about the earlier Advocate Mr. Suraj Mhadgut and the discussion took place in the morning session, she requested this Court to keep the Petition back and requested to be called out at the end of board.

1.2) The Petition was again called out at the end of the board for hearing, when none of the above noted Advocates appeared.

2) It appears that, the Petitioners are not interested in pursuing the Petition.

3) Dismissed for non-prosecution.

**(SHYAM C. CHANDAK, J.)**

**(A.S. GADKARI, J.)**