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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1734 OF 2004

Sitadevi Sachinkumar Agarwal ... Petitioner  
V/s.  
The State Of Maharashtra And Ors. ... Respondents

\*\*\*

None for the Petitioner.  
Mr. Sandip L. Babar, AGP for the Respondent-State

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CORAM : M. M. SATHAYE, J.

DATED : 7<sup>th</sup> MAY 2026

**P.C.:**

1. The Petition is admitted in March 2005. Record indicates that no interim relief was granted.
2. On 03.07.2019, the Petition was dismissed for non-prosecution as none appeared for the Petitioner.
3. Thereafter, on 19/07/2019, the Petition was restored.
4. Thereafter, on 06.03.2026, again the matter was not attended and nobody appeared for the Petitioner and the following order was passed:

- “1. None for the Petitioner.
2. Issue notice to the Petitioner and to the Respondents, returnable on 23rd April, 2026.
3. List on 23rd April, 2026.
4. It is made clear that if none appears for the Petitioner despite



notice, this Court will dismiss the Petition.”

5. Today again, nobody is appearing for the Petitioner.
6. Considering that the Petition was earlier dismissed for default once and restored thereafter, but the same is still not being diligently prosecuted, it appears that the Petitioner is only interested in keeping the litigation pending, without appearing to proceed on merits. In that view of the matter, the impugned order dated 30.12.2003 is perused.
7. The Petitioner was Revision Applicant No. 4, who had challenged the order passed by the Controller of Rationing, Mumbai dated 21.06.2003. After considering the material available on record and on finding that none of the Applicants were eligible, the order of Controller of Rationing was set aside and it was ordered to give proposal for re-advertisement and complete the work of sanctioning shop to the eligible Applicants, within 3 months.
8. Many years have passed thereafter. No interim relief was granted in favour of the Petitioner. As such, there is no reason to interfere in the impugned order, after more than 22 years.
9. **The Petition is accordingly dismissed. No order as to costs.**
10. All concerned to act on duly authenticated or digitally signed copy of this order.

**(M. M. SATHAYE, J.)**