



Santosh

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**WRIT PETITION NO. 4812 OF 1996**

Amarchand Hiralal Chopada ...Petitioner  
*Versus*  
Dattatraya Govind Halwai & Ors ...Respondents

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*None for the Petitioner.*

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**CORAM: G.S. PATEL, J**  
**DATED: 2nd November 2017**

**PC:-**

1. None for the Petitioners. On 11th August 2017 the Court noted the submissions made by the Petitioners Advocate that the Civil Application to bring on record the heirs and legal representatives of the Petitioners was being filed on very date. Only for that reason the matter was adjourned on 18th August 2017. On 1st September 2017, Civil Application No.2000 of 2017 was allowed and the delay is condoned. The amendment has been effected. The matter was listed next for hearing and final disposal on 3rd October 2017. None appeared for either of the parties. Today also none appear for the Petitioners.

2. Final hearing matters for today and tomorrow were notified a week ago with a specific noting that there will be no adjournment.



3. The Petition is of 1996. It was admitted on 23rd September 1986. Interim relief was refused by an order of 20th January 1997.
  
4. Having regard to all these circumstances, the Petition is dismissed for non prosecution. Rule is discharged. All interim orders stand vacated.
  
5. The petition will not be restored without sufficient cause being made out in a proper application. The Petitioner is put to notice that any order of restoration may be made subject to payment of costs as a condition precedent.

**(G. S. PATEL, J.)**