

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).8525/2010

(From the judgement and order dated 03/02/2010 in
of The HIGH COURT OF BOMBAY AT AURANGABAD)

FA No.887/2009

VISHNU & ORS.

Petitioner(s)

VERSUS

JAYA

Respondent(s)

(With prayer for interim relief)

Date: 21/09/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM
HON'BLE MR. JUSTICE T.S. THAKUR

For Petitioner(s)

Mr. Sudhanshu S.Choudhari,Adv.(NP)

For Respondent(s)

Mr. B.S. Rajesh Agrajit,Adv.
Mr. V.K.Ojha,Adv.
Ms. Jyoti Rana,Adv.
Mr. Sanjai Kumar Pathak,Adv.

UPON hearing counsel the Court made the following

O R D E R

The respondent is personally present along with the two children whose custody was given to her by our previous order. She is also represented by her lawyer. On the other side neither the petitioner nor his lawyer is present in court. Both of them were also absent on the previous date.

The manner in which this matter has proceeded before this Court can be gathered from the orders earlier passed in the case from time to time. The previous order dated July 19, 2011, also takes note of the circumstances in which the petitioner did not

-2-

appear before the Mediation and Conciliation Centre, Delhi High Court, despite our directions and then allowed the matter to go unrepresented even before this Court on that day.

This special leave petition could have been dismissed on July 19, 2011 itself as there was no one representing the petitioner. But we did not do so and gave another chance to him fixing the matter on September 15, 2011. On that day, however, the Court did not assemble as one of us (Aftab Alam, J.) had not come to the Court. Accordingly, the case is listed today.

As noted above, though the respondent-wife is present along with two children and she is also represented by her lawyer, there is no representation on behalf of the petitioner. We therefore have no option but to dismiss this special leave petition for non-prosecution.

Accordingly, the special leave petition is dismissed.

[SUMAN WADHWA]
COURT MASTER

[S.S.R. KRISHNA]
COURT MASTER