

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL APPELLATE JURISDICTION
WRIT PETITION NO. 2515 OF 2016

XYZ

..Petitioner

Vs.

Union of India and Others

..Respondents

Mr. R. V. Desai, Senior Counsel a/w Mr. R. B. Pardeshi i/b
Mr. A. M. Khare, for the Petitioner.

Mr. Pradeep S. Jetly, for the Respondents.

CORAM :- S.C. DHARMADHIKARI &
B.P.COLABAWALLA, JJ.

DATE :- FEBRUARY 6, 2017.

P. C.:

At the request of Mr. Desai, learned Senior Counsel and to enable the Petitioner to comply with a very important procedural requirement, we list this matter on 20th February, 2017.

2 We caution the Registry that hereafter when it proceeds to entertain such Petitions and register them, it

should ascertain from the advocate as to why after Vakalatnama has been signed in the advocate's favour, is the party approaching this Court in writ jurisdiction interested in not revealing his identity but praying for prosecution of the Petition in an assumed name. A proper application supported by an affidavit should be filed for dispensing with the ordinary and normal requirements. No person coming to this Court as a litigant or party can suppress his identity. His name and other details have to be revealed to the Registry so as to avoid all complications in future. We have noted that on several occasions some litigants approach this Court and thereafter during the pendency of the litigation and after passage of several years after litigation was initiated an entity or person approaches this Court and says that we have never authorized any advocate to present the Petition or application to this Court and someone has usurped and used their name and identity. Thus, there are common names and surnames and thereby lot of confusion is caused so also embarrassment not only to a true and genuine person but to the advocate as well. Therefore, the Registry hereafter

should not in a mechanical manner accept any request as is emanated in this case from the Petitioner. Since the Petitioner's advocate on record seeks time to complete the procedural requirements, purely as a concession, we list this matter on 20th February, 2017.

3 All consequences of not complying with a procedural requirement shall follow in this case in the event there is a default.

(B. P. COLABAWALLA, J.) (S. C. DHARMADHIKARI, J.)

