

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE SIDE JURISDICTION.

CIVIL APPLICATION NO.297/2015
IN
SECOND APPEAL NO.164/1993

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Mithun Mahajan i/b. Anilkumar Patil for the Applicant
Mr. Sushil Inamdar i/b. P. J. Shinde for the Respondent.

CORAM : K. K. TATED, J.
DATE : OCTOBER 5, 2015

P.C.:

1. Heard. This Application is for restoration of the Second Appeal which was dismissed in view of conditional order dated 03/12/2013.

2. The learned counsel for the Applicant submits that his Junior Assistant Advocate who was supposed to remove office objections, missed the track to take appropriate steps as per order dated 03/12/2013. He submits that in the interest of justice, this Hon'ble Court be pleased to restore the Second Appeal to file.

3. It is to be noted that in the present proceedings, this court, by order dated 03/12/2013 granted 12 weeks time to remove office objections.

4. The Civil Application was filed by the Applicant on 14/01/2015. There is delay of more than 260 days in making the Civil Application. Same is not explained in Application. Even there is no affidavit of Applicant in support of the Civil Application nor same is solemnly affirmed. Only prayer to dispense with an affidavit is made. Hence, I do not find any cogent reason to condone the delay.

5. Civil Application stands rejected.

JUDGE

CERTIFICATE

Certified to be true and correct copy of the original signed order.