

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.384 OF 2015
IN
CIVIL REVISION APPLICATION STAMP NO.13031 OF 2002**

Hiralal Lalchand Marwadi(Chhajer) : Applicant.
Versus
Special Land Acquisition and ors. : Respondents.

Mr. Jayesh B Kocheta for the Applicant.

CORAM : R. M. SAVANT, J.
DATE : 11th September 2015

P.C.

1 The above Civil Application has been filed for restoration of the above Civil Revision Application which has stood dismissed for non-prosecution on account of the conditional order dated 04/12/2002 passed by a learned Single Judge of this Court. The instant Civil Application has been filed almost 7 years after the said rejection. The ground mentioned out is that the advocate who was engaged by the Applicant did not inform the Applicant of the said conditional order. It is required to be noted that the above Civil Revision Application was filed against the order passed by the Special Land Acquisition Officer rejecting the application for Reference under Section 18 of the Land Acquisition Act on the ground that the court fees have not been paid.

2 If that be so, the Applicant who is the deprived land holder was required to make inquiries with his advocate as regards the fate of the

proceedings which he was advised to file. Seemingly it has not been done by the Applicant and the blame is sought to be laid solely on the advocate engaged by the Applicant.

3 In my view, the aforesaid facts disclose the callous and negligent manner in which the Applicant was prosecuting the proceedings. No indulgence can be shown to such a litigant. The above Civil Application is accordingly rejected.

[R.M.SAVANT, J]

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