

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

CIVIL APPLICATION NO.193 OF 2015
IN
CIVIL REVISION APPLICATION NO.502 OF 2009

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.Sharad Suryavanshi i/b Mr. P.A.Pol for the applicant.

None for the respondent

CORAM : K. K. TATED, J.

DATE : JULY 4, 2016

P.C.:

1 Heard the learned counsel for the applicant.

2 This application is for restoration of Civil Revision Application which was dismissed for default by order dated 28.7.2014.

3 The learned counsel for the applicant submits that advocate on record of the applicant was thereafter, appointed as Government Pleader. It was not possible for the Advocate on record to look after the cases due to heavy workload. Hence, he requested his junior Advocate to appear whenever matter comes on board for hearing. He further submits that advocate on record instructed

his Junior Mr.Siddesh Kalel to take care of the matter. He submits that on 28.7.2014 this Junior Advocate Mr.Kale was in personal difficulty and therefore, no one appeared when the matter was called out. He submits that applicant has good chance of success in the present matter. Hence, in the interest of Justice, this Hon'ble Court be pleased to recall the order dated 28.7.2014 and restore the Civil Revision Application on board for hearing on its own merits.

4 It is to be noted that in the present proceeding, Civil Revision Application appeared on board for hearing on 27.6.2014, 25.7.2014, at that time, no one appeared on behalf of applicant. Hence, matter was posted under the caption 'for dismissal' on adjourned date i.e. on 28.7.2014. At that time also, no one appeared on behalf of applicant. Hence, this court by order dated 28.7.2014 dismissed the Civil Revision Application for default.

5 The reason given by the applicant in Civil Application particularly in paragraph 4, 5, 7 and 8 does not show sufficient cause for recalling the said order.

6 Hence, Civil Application stands rejected.

JUDGE