

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1477 OF 2016
IN
WRIT PETITION NO. 1767 OF 2014

Mr.Ravindra Vaman Godbole.	...	Applicant.
V/s.		
Smt.Ujwala Raghunath Tulashibagwale	...	Respondent.

Y.P.Narvankar for the applicant.
None for the respondent.

CORAM : D.H.WAGHELA, C.J.

DATE : 8th August 2016.

PC. :

This application is filed with the prayer to restore original Writ Petition No.1767/2014 and to grant further time of two weeks for removal of office objections, if any. The original writ petition appears to have been admitted on 3rd April 2014 and came to be dismissed by the conditional order dated 11th March 2016 on account of the fact that the applicant had failed to supply copies of the petition. Even as that conditional order dated 11th March 2016 was made in the civil application filed by the petitioner for early hearing of the petition, all the office objections in writ petition were required to be removed within three weeks which were not removed by the petitioner.

2. Learned counsel for the applicant further submitted that the main office objection of supplying copies of the petition was removed by supplying it on 17th March 2016, but the office note indicates that as per the Court's order dated 1st August 2016 the office verified the papers and found that the office objections were not removed in so far as illegible documents were not replaced and they are not replaced even now. Therefore, it appears that the applicant has not been sincere in pursuing the matter. The main petition is two years old without even notice of rule being issued to the respondents. Under the circumstances and in view of the fact that the original petition was admitted at the first hearing, the present application is allowed subject to the condition that applicant shall deposit with the registry the sum of Rs.5,000/-, which may be awarded by way of costs at the time of disposal of the petition, in discretion of the Court and on the condition that the illegible documents shall be replaced and necessary translations shall be supplied on or before 24th August 2016. In case of failure in complying with both of the above conditions, the original petition shall remain dismissed and in case the conditions are duly complied with, the original petition shall stand revived and will be listed for hearing on 1st September 2016.

CHIEF JUSTICE