

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1546 OF 2016
IN
WRIT PETITION NO. 11491 OF 2015

Abhiman Dadarao Tikate. ... Applicant.
V/s.
Subhash Bhiva Hajare and another. ... Respondents.

Shriram S. Chaudhary for the applicant.

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

DATE : 4th July 2016.

PC. :

The application is made to restore the main writ petition which was dismissed for default by order dated 21st June 2016. The original petition appears to have been filed in the year 2015 and not attended when it was listed for admission hearing. The reason for not attending the petition on 21th June 2016 is stated in the application to be that: “the Applicants' Advocate was before another Court and the Applicants' Advocate asked his colleague to request the Hon'ble Court to keep back the matter however, he could reach in the Court, the matter was dismissed for default.”

2. The above reason is neither inspiring confidence nor a sufficient justification for not attending even the admission hearing of the petition filed under Article 227 of the Constitution to challenge the order dated 31st August 2015 in Civil Misc. Application No.40/2013 in Regular Civil Suit No.703/2013 which is still pending in the trial Court. Therefore, the application is dismissed.

CHIEF JUSTICE