

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1749 OF 2016
IN
WRIT PETITION NO. 6421 OF 1996

Shri Vishnu Vasant Ghayal ... Applicant/Petitioner.
V/s.
Sau.Anusayabai Govind Wani & Anr. ... Respondents.

Ms.R.M.Khairnar i/b. P.N.Joshi for the applicant.

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

DATE : 20th July 2016.

PC. :

The application is made for restoration of the main petition which was dismissed for default on 2nd July 2015. The vague averments made in the application are to the effect that when the main petition was listed for final hearing and called out, the board had collapsed and learned advocate for the petitioner was held up in another court and hence he could not attend the matter. It is further stated that on account of inadvertent mistake on the part of the petitioner's advocate/ registered clerk, they could not notice that the said matter was called out and therefore dismissed. Even as

present application appears to have been prepared in July 2015, copy of the application is not stated to have been served upon the respondents. Since the reason or explanation tendered in the application is vague and does not inspire any confidence, the application is dismissed.

2. Learned counsel appearing for the applicant has not made any further submission and expressed complete inability to assist the Court as she did not have the papers of the application.

CHIEF JUSTICE