

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 142 OF 2017
IN
MISCELLANEOUS CIVIL APPLICATION NO. 213 OF 2015
WITH
MISCELLANEOUS CIVIL APPLICATION (ST) NO. 22261 OF 2017

Mrs. Namrata Pankaj Ojha ... Applicant

Versus

Mr. Pankaj Radhesham Ojha ... Respondent

Mr. V.V. Purwant for the Applicant in Civil Application No.142 of 2017 and Miscellaneous Civil Application No. 213/15.

Mr. Ajay Basutkar a/w. Ashwini Gadgil for the Applicant in Miscellaneous Civil Application (St) No.22261 of 2017.

CORAM : S.J. KATHAWALLA, J.
DATED : 9th AUGUST, 2017

P.C.:

1. The above Miscellaneous Civil Application No.213 of 2015 was dismissed since the Advocate for the Applicant failed to appear before the Court on three occasions. The reason given is that the Advocate was held up before the other Courts. The excuse given by the Advocate cannot be accepted. If the Advocate is so busy that he finds no time to represent his client before the Court on three different days, he should not accept matters and cause harm to his clients. The conduct of the Advocate is strongly deprecated. However, if the Miscellaneous Civil Application is

not restored, it will cause grave harm, injury and prejudice to the Applicant-wife who is seeking transfer of matrimonial petition filed by the Respondent-husband from Pune to Solapur. In view thereof, the above Civil Application is allowed, the order dated 15.02.2017 is set aside and the Miscellaneous Civil Application No.213 of 2015 is restored to file.

2. The above Civil Application is accordingly disposed off.

(S.J.KATHAWALLA, J.)