

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1900 OF 2016

IN

REJECTED CASE NO. 1453 OF 2016

Shri. Tukaram Hari Shelar

...Applicant

Versus

J.G. Joshi & Ors.

...Respondents

None for the Applicant.

CORAM : N.M. JAMDAR, J.

DATE : 8 February 2017

ORDER :

1. On 2 December 2016 following order was passed :-

“The Civil Application is taken up for restoration of the Writ Petition which is dismissed for default. The Writ Petition itself arose from order passed dismissing the appeal filed by the Petitioner for default. On 27 July 2016, none appeared for the

Applicant. Today also request is made on behalf of the Advocate for the Applicant. Stand over to next CMIS date i.e. on 3 February 2017. To be listed under the caption “For Dismissal”. The conduct of the Applicant in not diligently pursuing even the Writ Petition as well as the application will have to be taken into consideration.”

2. None appears for the Applicant. The matter is notified on board under the caption 'For Dismissal'. As noted in the order dated 6 December 2016 that not only the Civil Application is taken out for restoration of the Writ Petition, which was dismissed for default even the Writ Petition arose from the order dismissing of the Appeal filed by the Petitioner for default. It is clear that the Applicant is not interested in prosecuting this Application or Petition. The Civil Application shall stands dismissed.

[N.M. JAMDAR, J.]