

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3773 OF 2016
IN
FIRST APPEAL (ST) NO. 10700 OF 2012

Smt. Amravatidevi M. Sharma
Vs.
Vilas D. Mungekar and ors.

Office Notes, Office
memorandum of Coram,
appearance, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

Mr. Ditendra Mishra for the Applicant.

CORAM : M. S. SONAK, J.
DATE : 10 JANUARY 2017.

P.C. :-

1] The appeal had been dismissed earlier. The appeal was however restored by the order dated 6 September 2013 on the condition that the applicant clears the office objections within a period of four weeks. The office objections were not cleared within the period prescribed and therefore, the order of dismissal of the appeal attained finality. After considerable delay, this application has been taken out once again for restoration.

2] Learned counsel for the applicant submitted that the property, which is the subject matter of the appeal is worth crores of rupees. However, when it came to the question of the costs, learned counsel for the applicant

submits that only costs of Rs.5000/- may be imposed.

3] There is really no case made out for seeking restoration. There was absolutely no justification for not clearing the objections within the prescribed period particularly since the matter had been dismissed for non-prosecution on the earlier occasion. Accordingly, this civil application is dismissed. There shall be no order as to costs.

(M. S. SONAK, J.)