

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CIVIL APPLICATION (CAO) NO.1297 OF 2015

IN

**MISC. CIVIL APPLICATION (STAMP) NO.9178 OF 2015 IN CIVIL REVISION
APPLICATION NO.319 OF 2001**

(Smt. Nandabai w/o Bhaurao Dongre ..vs..Maharashtra State Electricity Board, through its Chairman
and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri V.R. Thote, Advocate for the applicant.

CORAM : Z.A. HAQ, J.

DATED : 18-01-2017

Heard Shri V.R. Thote, Advocate for the
applicant.

The applicant has filed Civil Application
No.1297/2015 and Miscellaneous Civil Application
(Stamp) No.9178/2015 praying that the Civil Revision
Application No.319/2001 which was dismissed in default
on 07-12-2005 be restored.

As there is delay of about 3406 days in filing the
miscellaneous civil application, this application is filed
praying that the delay be condoned. The only reason
given for the delay is that the Advocate who represented
the applicant in the civil revision application stopped
practice and he had not taken steps to remove the office
objections and had not informed the applicant in the

matter. The explanation given by the applicant cannot be accepted. Though the Advocate should inform the party about the progress of the matter, it is not expected from the party/litigant that he should not be attentive and should not keep the track of the matter. The party/litigant should be vigilant and should enquire about the progress of the matter from his Advocate.

I find that the explanation given by the applicant is not acceptable. The application praying for condonation of delay is **dismissed**. Consequently, the miscellaneous civil application is also **dismissed**.

JUDGE

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