

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

C.A.O. NO.1298/2015
AND
M.C.A. STAMP NO.9182/2015
IN
CIVIL REVISION APPLICATION NO.320/2001

Bhaurao Laxmanrao Dongre

..Vs..

Maharashtra State Electricity Board and others

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

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : 17.1.2017.

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

The applicant has filed Civil Application No.1298/2015 and Miscellaneous Civil Application Stamp No.9182/2015 praying that the Civil Revision Application No.320/2001 which was dismissed in default on 6th October, 2005 be restored.

As there is delay of about 3468 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

Tambaskar.