

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION***

CIVIL APPLICATION NO. 240 OF 2016

in

REVIEW PETITION (ST.) 2147 OF 2010

in

SECOND APPEAL NO. 675 OF 2006

Mr. Kiran Digambar Kshirsagar and Ors. ... Applicants/Appellants.

V/s.

Mr. Balasaheb Dattatray Chavan and Ors. ... Respondents.

Mr. Sugandh Deshmukh i/b. Rajaram Deshmukh for the
Applicants/Appellants.

None for the Respondents.

CORAM : N.M. Jamdar, J.

DATE : 11 January, 2018.

P.C. :-

This Civil Application is taken out for restoration of Civil Application No. 130 of 2010 which was filed for condoning delay in Review Petition.

2. By order dated 10 August 2007, a Second Appeal filed by the Appellants was dismissed. The learned Single Judge, after hearing the Appellants, by a reasoned order dismissed the Second

Appeal. In the year 2010 a Civil Application for review alongwith delay was filed. Even this application was not diligently prosecuted, it was dismissed for non-prosecution.

3. Firstly the order passed by the learned Single Judge of which review is sought, was after considering the arguments of the Appellants and has dismissed the Appeal on merits. There is hardly any reason given for filing an application after three years when the Appellants were represented through an Advocate. This conduct is compounded, as the Application was allowed to be dismissed for non-prosecution. There is absolutely no merit in these proceedings. The Civil Application is dismissed.

(N.M. Jamdar, J.)