

JPP

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

CIVIL APPLICATION NO. 243 OF 2016

in

REJECTED CASE NO. 1238 OF 2015

in

SECOND APPEAL NO. 12 OF 2012

Sardar Chandsaheb Shaikh.

... Applicant/Appellant.

V/s.

Mrs. Anusaya Maruti Jadhav.

... Respondent.

Ms. Kavita Shinde a/w. Ashok B. Tajane for the
Applicants/Appellants.

Mr. Suhas S. Inamdar for the Respondent.

CORAM : N.M. Jamdar, J.

DATE : 11 January, 2018.

P.C. :-

This Civil Application seeks condonation of delay of 304 days and restoration of the Review Petition.

2. The review is sought of the order dated 15 January 2013 in Second Appeal No.12 of 2012. At that time both, the Appellant and Respondents were represented through the Advocates, and they were heard. Review thereafter has been filed through a different

Advocate. Thereafter, for non-payment of Court fees, the Review Application was rejected. After 304 days, the present application is filed for restoration. Time was granted by the Registrar (Judicial) to pay the Court fees, yet, it was not paid. The reply affidavit has been filed and the application is opposed. The application is nothing but abuse of process of law. This Court coming across various incidents, where, after full fledged hearing the proceedings are disposed off and thereafter, by changing the Advocate, again re-hearing is sought under the guise of a review.

3. The Civil Application is rejected.

(N.M. Jamdar, J.)