

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL APPLICATION NO. 379 OF 2018****IN****WRIT PETITION NO. 1167 OF 1993**

Tukaram Gangaram Waghchaure & Anr.

.. Applicants.

V/s.

Jagannath Shivram Jondhale (Since deceased)

Through Lrs. And Ors.

.. Respondents.

Mr. C.V. Sanjkar I/b Milind Parab & Associate for the applicants.

Smt. M. S. Bane, AGP for the State-Respondent no. 6.

CORAM: A.S. GADKARI, J.**DATE : 5th July, 2019.****P.C.:-**

This is an application for condonation of delay and restoration of Writ Petition No. 1167 of 1993 which was dismissed for non prosecution.

2 There is a delay of 8 years 4 months and 35 days in filing the present application. The record indicates that, the earlier Civil Application preferred by the applicants for restoration of petition was also dismissed for non removal of objections and even it was not

registered by the Registry.

3 Perusal of present application would indicate that, no sufficient cause to condone the afore-stated inordinate and colossal delay has been made out by the applicant. It appears that, the applicant has conveniently blamed his earlier Advocate for not intimating the said fact for dismissal of the petition. This Court is of the view that, it is the equal duty of the client to follow-up his/her own matter before the Court and the litigant cannot be permitted to blame his/her Advocate solely in that behalf. It is also the responsibility of the litigants to persue their own matter with their Advocate. The litigants cannot permitted to raise a specious plea that, they have entrusted the brief to their advocate and their advocate will do the needful for them without being given instructions from time to time.

4 In view of above, I find no merits in the application. Application is accordingly rejected.

(A.S. GADKARI, J.)