

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

MISC. CIVIL APPLICATION NO.441 OF 2019

IN

**C.A.S. NO.615 OF 2016 IN SECOND APPEAL (STAMP) NO.7656 OF 2015 (REJ.
SECOND APPEAL NO.323/2019)**

(Suraiya Bholasingh Thakur ..vs.. Shakuntaladevi Bholasing Thakur 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 Vivek Bhardwaj, Counsel for the applicant/appellant

CORAM : ROHIT B. DEO, J.

DATED : 16-04-2019

Paragraph 3 of the application reads thus :

“3. The Counsel for Appellant respectfully states that he was relying upon the email notifications generally issued by the Hon'ble Courts, but surprisingly and unfortunately no such email notifications were received for the past six dates when the matter was listed before this Hon'ble Court. The Counsel for appellant respectfully states that his conduct is unjustifiable and undertakes to be more careful and diligent in this regard.”

2. It is surprising and indeed unfortunate that the litigant is blaming this Court for the absence of the counsel on as many as six dates of hearing. The reason pleaded is that the emails which the learned Counsel expected the High Court to send were not received.

3. It is not necessary to dignify the justification by any further observation.

4. However, only to ensure that the litigant does not suffer for the lapse of the counsel the application is allowed, subject to costs of Rs.3,000/- to be deposited with the High Court Legal Services Sub-Committee, Nagpur.

JUDGE

adgokar