

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

CIVIL APPLICATION (O) NO. 75/2019
IN
MISC. CIVIL APPLICATION (ST.) NO. 9894/2018
IN
S.A. NO. 183/2000

Sambha S. Dhale

..VS..

Ramchandra G. Dubdube

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 : 24/06/2019

None appeared for the applicant – appellant when the matter was called out. The matter was kept back. Again on the second call, none appeared for the applicant – appellant. The following order came to be dictated:-

“None appeared for the applicant – appellant on 18/06/2019. The matter was adjourned. Today again, the applicant – appellant and his advocate are not present”.

Then Shri W.N. Nayse, Advocate had appeared and on enquiry he stated that he represents the non-applicant – respondent. Then again, following order came to be dictated:-

“None appears for the applicant – appellant.

Shri W.N. Nayse, Advocate puts in appearance for the non-applicant – respondent.

List the matter for further consideration on 01/07/2019.”

After I dictated the second order, at the time of transcription, the stenographer noticed from the record that name of Shri W.N. Nayse, Advocate is appearing alongwith the names of Shri G.G. Bade and Shri P.P. Khaparde, Advocates for the applicant – appellant. Again, the matter was called out. When enquired, Shri W.N. Nayse, Advocate was not sure whether he represents the appellant or the respondent. The state of affairs show that neither the applicant – appellant nor his advocate/advocates who name appear on record are interested in prosecuting the matter. The explanation for delay of 195 days in filing the review application is also not sufficient.

Hence, the civil application is **dismissed**. Consequently, M.C.A. (St.) No. 9894/2018 is rejected with costs quantified at Rs. 2,000/- to be deposited by the applicant – appellant with the High Court Legal Services Sub-Committee, Nagpur.

JUDGE

Ansari