

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

CIVIL APPLICATION (O) NO. 1245/2018

IN

MISC. CIVIL APPLICATION (ST.) NO. 10439/2018

IN

MISC. CIVIL APPLICATION (ST.) NO. 23349/2017 (R.C. No. 54/2018)

IN

WRIT PETITION NO. 1101/2015 (D)

Bhupesh T. Meshram

..VS..

Union of India & ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.B. Moon, Advocate for the petitioner

CORAM : Z.A.HAQ, J.

DATED : 19/06/2019

The writ petition filed by the petitioner was listed before this Court on 06/07/2017. None had appeared for the petitioner. On 19/07/2017 again, none appeared for the petitioner, and therefore recording that there was no appearance for the petitioner on 06/07/2017, the petition was dismissed for want of prosecution. M.C.A. (St.) No. 23349/2017 was filed by the petitioner praying that the writ petition be restored. As there was delay of 73 days in filing the MCA, the petitioner had filed C.A.O (St.) No. 23350/2017 praying for condonation of delay. As the petitioner failed to pursue the applications diligently and failed to remove the office objections inspite of grant of several opportunities, the learned Registrar(J.) by the order dated 11/12/2017 refused to grant registration to C.A.O (St.) No. 23350/2017.

Now the petitioner has filed M.C.A. (St.) No. 10439/2018 praying that the order passed by the learned Registrar(J.) on 11/12/2017 be set aside and M.C.A. (St.) No. 23349/2017 be restored. Again there is delay of 108 days in filing M.C.A. (St.) No. 10439/2018. Hence, this civil application is filed.

I find that there are no bonafides on the part of the petitioner and the petitioner has not shown due diligence in prosecuting the matter. The record and the orders passed in the matter show that the petitioner has been avoiding to take steps and attend the proceedings. Copies of the CA and MCA are not served on the office of ASGI. There is no explanation for this lapse also. In the facts of the case, I am not convinced that the explanation given by the petitioner for the delay in filing M.C.A. (St.) No. 10439/2018 is sufficient and acceptable.

Hence, C.A.O No. 1245/2018 is **dismissed**. Consequently, M.C.A. (St.) No. 10439/2018 is rejected.

JUDGE

Ansari