

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

CIVIL APPLICATION NO.102 OF 2017

IN

REJECTED CASE NO.461 OF 2004

Bhalchandra Kashinath Patil

...Applicant

Vs

M/s. Sucess Enterprises and Anr.

... Respondents

...

Mr. Sachin R. Pawar for the Applicant.

CORAM : SANDEEP K. SHINDE J.

DATE : JANUARY 6, 2022.

P.C. :

Heard.

2 Appeal was restored by this Court (Coram: Abhay S. Oka, J.) vide order dated 5th October, 2007 subject to condition that appellant would remove all office objections. It was a conditional order. The appeal was dismissed for non-removal of office objections.

3 The instant application seeks restoration of the appeal, by condoning delay. Although the application was filed in August, 2011, no efforts were made to circulate the application for consideration. Additionally, application does not disclose ‘*Sufficient Cause*’, which prevented applicant in preferring application in time. The prayer seeking condonation of delay does not specify number of days of delay. Approach of the applicant is very casual. It implies, he is uninterested in pursuing the appeal. Besides, when the application was called out for hearing on 25th September, 2019, none was present and it was adjourned to 4th October, 2019. On that day, adjournment was sought by the applicant. By way of indulgence, application was adjourned to 7th October, 2019. In consideration of the facts of the case and the manner in which application is being pursued, it deserves no consideration. It is rejected.

(SANDEEP K. SHINDE, J.)