

Amrut

IN THE HIGH COURT OF BOMBAY AT GOA
CIVIL APPLICATION (REVIEW) NO.20 OF 2017
IN
SECOND APPEAL NO. 20 OF 2006

VASANT VITAL BHONSLE
(DEC) AND ANR.

... Petitioners

Versus

NARENDRA PANDURANG
CHATIM AND 3 ORS

... Respondents

None for the Petitioners.

Mr. S. D. Lotlikar, Senior Advocate with Ms. S. Kenny, Advocate
for Respondent Nos. 1 and 2.

CORAM: M. S. SONAK, J.

DATED : 2nd FEBRUARY 2023

P.C.:

1. The record discloses that this review petition was filed after 261 days delay. After this delay was condoned, on several dates leave was applied to amend the review petition. This continued up to 10.08.2018. Thereafter, on 04.09.2018, time was applied to place on record the amended review petition.
2. Ultimately, notices were issued to the Respondents on 25.09.2018. No process fees and copies were supplied. On 15.10.2018 last and final opportunity was granted. Despite this, no steps were

taken and once again on 29.10.2018, a final opportunity was granted making it clear that otherwise the review would be dismissed for default and non-prosecution.

3. The review petition stood dismissed for default and non-prosecution. However, since the learned counsel for the Respondents did not object, the same was restored on 19.11.2018.

4. Even after the restoration, there was a delay in issuing service. Time was again sought on behalf of the review Petitioners to produce additional documents. This was followed by the statement that an amendment application has been filed. On behalf of the review Petitioners, time was sought on several occasions. Finally, on 06.06.2019, it was made clear that no further adjournment will be granted.

5. Despite all this, on 04.07.2019, Advocate for the review Petitioners applied for an adjournment and the same was possibly reluctantly granted. Thereafter, on most dates, there was no appearance on behalf of the review Petitioners.

6. On 14.10.2019 and 22.10.2019, Advocate for the review Petitioners once again applied for adjournments which were granted. On 19.11.2019, however, Advocate did not bother to appear. Therefore, this Court recorded that the last opportunity was being granted to the absentee Applicants.

7. Again, on 05.12.2019 and 31.01.2020, Advocate for the review Petitioners did not appear or did not proceed with the matter.
8. On 03.03.2020, again Advocate for the review Petitioners applied for an adjournment. Today, when the matter is called out neither the review Petitioners nor their Advocate is present.
9. Mr. Lotlikar, learned Senior Advocate for the Respondents points out that all this while the review Petitioners have obtained interim order which is continuing. If this is so then it will not be appropriate to show any further indulgence to the review Petitioners.
10. In the above circumstances, the review petition is dismissed for non-prosecution. Interim order, if any, is vacated.
11. The Misc. Civil Application No.409 of 2019 does not survive the disposal of the review petition, and the same is disposed of accordingly.

M. S. SONAK, J.

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