



Gaikwad RD

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2261 OF 2018
IN
WRIT PETITION NO.4357 OF 1999

Master Nitishkumar Kantilal Shah Through his
natural guardian Shah

...Applicant

In the Matter Between:

Master Nitishkumar Kantilal Shah Through his
natural guardian Shah

...Petitioner

Versus

Vishnudas Gopal Tamore

...Respondent

None for the Applicant.

None for the Respondent.

CORAM Dr. Neela Gokhale, J.

DATED: 4th January 2024

PC:-

1. None appears for the parties.

2. By an order dated 4th July 2017, this Court dismissed the writ petition for non-prosecution. The order records that the interim order granted by the Court was a conditional order wherein the Petitioner was directed to deposit rent/compensation and the

Petitioner has neither deposited the same and nor even appeared in the darkhast proceedings.

3. The Petitioner has made this application seeking restoration of the writ petition on the ground that he was unable to contact his previous advocate and only after he engaged his present advocate, he learnt about the dismissal of the writ petition. He, thus, seeks restoration of the writ petition. There is also substantial delay in making the present restoration application as can be seen from the averments in the application.

4. Today, when the matter was called out none appear for the Applicant/Petitioner. This clearly shows disinterest and disregard of the Applicant/Petitioner in respect of Court proceedings. No reasons have been made out to justify either restoration of the writ petition or condonation of the delay for making the restoration application.

5. The application is, thus, dismissed.

(Dr. Neela Gokhale, J)