

Appellate Side Rules, 1960. Mr. Salunke invited my attention to the affidavit filed by the respondent No.1 and submitted that the application was taken out after nearly 3 years and 278 days and no sufficient case is made out for condoning the delay. That apart, the rights are accrued in favour of the respondent No.1 and by restoring the Petitions, the said rights will be taken away.

3. I have considered the rival submissions advanced by the learned Counsel appearing for the parties. I have also perused the material on record. It appears that in addition to these Petitions, the applicant has instituted one more Petition. After hearing both sides, by order dated 02.12.2009, Petitions were admitted. Interim relief, however, was not granted. It is also evident from the record that the third Petition namely, Writ Petition No.3911 of 2009 was also dismissed on 07.04.2010 on the ground of non-removal of office objections. I am told at the Bar that the said Writ Petition is restored.

4. In view of the aforesaid position, I am satisfied that the Petitions require to be restored by condoning the delay. Hence, Civil Applications are allowed in terms of prayer clause (a) with no order as to costs. Writ Petitions are restored to the file of this Court. Liberty to take out application for fixing date of hearing is granted.

(R. G. KETKAR, J.)

Minal Parab