

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

CIVIL APPLICATION NO.1990 OF 2014

IN

WRIT PETITION NO.9252 OF 2013

Sou. Snehal Vikas Pawar

.. Applicant/Petitioner

Versus

The Honourable Minister for Food and Civil

Supplies and Consumer Protection Department

State of Maharashtra, Mumbai and others

.. Respondents

Mr. Siddhesh Pilankar i/by Mr. Uday P. Warunjikar, for the Applicant.

Ms. M. S. Bane, "B" Panel Counsel for the Respondent Nos.1 to 3.

Mr. M. V. Aiya, for the Respondent No.4.

CORAM : R.M. SAVANT, J.

DATE : 6th AUGUST, 2015

PC.

1. The above Civil Application has been filed for restoration of the above Writ Petition which has stood dismissed for non-prosecution on account of the non-appearance of the advocate on 13.11.2013. The reasons for non-appearance of the advocate are mentioned in paragraph 3 of the Civil Application. On behalf of the Respondent No.4 an affidavit in reply has been filed questioning the reasons for the non-appearance of the advocate on 13.11.2013. Since the Petition has been dismissed for default and since it is well settled that the litigant should not suffer for the acts of

the advocate, it would be just and proper to allow the Civil Application. The Civil Application is accordingly allowed and resultantly, the Writ Petition No.9252 of 2013 is restored to file. The Petitioner to deposit costs of Rs.1000/- with the Maharashtra Legal Services Authority within two weeks from date. The above Writ Petition No.9252 of 2013 to be listed for admission after three weeks.

[R.M. SAVANT, J]