

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO. 367 OF 2014
IN
WRIT PETITION NO.1424 OF 2007**

M/s Vijay Traders

..Petitioner

Vs

The Regional Provident Fund
Commissioner & Ors

.. Respondents

Mr. Pradhyuman M. Bhagat, Advocate for Petitioner.

None for the respondents.

CORAM : R.G.KETKAR, J.
DATE : 23/02/2015

PC:

1. Heard Mr. Pradhyuman Bhagat, learned counsel for the petitioner.
2. This Motion is taken out for condoning delay of 20 days in filing the Motion as also for recalling the order dated 27.8.2014. By order dated 27.8.2014, the Petition was dismissed in default.
3. Mr. Bhagat states that he has served the Motion on the other side. Despite service, nobody appears on their behalf.
4. Mr. Bhagat submitted that the Petition was admitted on 10.3.2008 as arguable questions are raised. Interim order was also granted. He, therefore, submitted that for the reasons stated in the affidavit-in-support of the Motion, the Petition requires to be restored.

5. As noted earlier, the Petition was admitted and interim relief is granted. On 27.8.2014, the Petition was dismissed for default. For the reasons stated in the affidavit-in-support of the Motion, I am satisfied that the petitioner has made out the case for granting the reliefs. Hence, the Motion is made absolute in terms of prayers clause (a),(b), with no order as to costs. Writ Petition No.1424 of 2007 is restored to its original position. Order accordingly.

(R.G.KETKAR, J.)