

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

C.A.O.NO.440 OF 2015 IN M.C.A.ST.NO.4074/2015 (FOR RESTORATION)

IN
WRIT PETITION NO.2110 OF 2003 (D).

Union of India thr. Secretary and anr. .vs.. Shri Ram Shridhar Chimurkar and anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr.Gauri Venkatraman, Adv. for the applicants.

CORAM : B.P.DHARMADHIKARI AND
P.N.DESHMUKH, JJ.
DATED : SEPTEMBER 11, 2015.

This Court had issued notice on board on 27th of March, 2015. Though respondent nos.1 and 2 are served, there is no appearance for them. There was no appearance also on 28th of August, 2015.

Prayer in M.C.A. is to recall order dated 18th of December, 2014 dismissing Writ Petition No.2110 of 2003 for want of prosecution and prayer in CAO No.440 of 2015 is to condone delay of 40 days in moving that M.C.A.

Reasons for delay are given by applicants in paragraph no.4 onwards of the application. The same are supported by proper affidavit.

As we do not see any mala fides, delay is condoned. Order dated 18th of December, 2014 is recalled and Writ Petition No.2110 of 2003 is restored back to file.

WRIT PETITION NO.2110 OF 2003.

Heard.

Issue notice to the respondents, returnable on 23rd of November, 2015.

JUDGE

JUDGE

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