

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLCIATION NO. 5404 OF 2016
IN
WRIT PETITION NO.1792 OF 2013

VIJAYA GOVIND BHALE
VERSUS
VASANT VITTHAL CHOUKULE

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Advocate for Applicant : Shri Anand Bhandari h/f Shri A.S.Bajaj
Advocate for Respondents : Shri D.S.Kulkarni

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CORAM : RAVINDRA V. GHUGE, J.
Dated: April 22, 2016

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PER COURT :-

1. The applicant prays for condonation of delay of 74 days and further prays that the order dated 5.1.2016 passed by this Court, dismissing the Writ Petition for non-prosecution be recalled.
2. Reasons in support of the application have been set out therein. Submission is that due to the difficulty of the concerned Advocate as well as the litigant, steps could not be taken for engaging another lawyer in view of the withdrawal of appearance of the earlier Advocate.
3. Shri Kulkarni, learned Advocate for the non-applicant opposes the application on the ground that the reasons cited are not satisfactory. Despite numerous opportunities, none appeared for the petitioner.
4. Considering the above and for the reasons set out in the application, the same is allowed. Delay of 74 days is condoned. The order dated 5.1.2016 is recalled and Writ Petition No.1792 of 2013 is restored to the same stage at which the petition was dismissed.
5. Needless to state, the interim relief granted by this Court on 4.4.2013 stands continued.

(RAVINDRA V. GHUGE, J.)

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