

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 5422 OF 2011
IN WP/5646/1996

M/S KINETIC ENGINEERING LTD.
VERSUS
NARHARI MADHAVRAO JIDDEWAR AND ANR

...
Advocate for Applicant : Shri Bedre Vinayak Sudhakar.
Advocate for Respondent 1 : Shri Tarde Vivek V.
...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 23rd August, 2016

Per Court:

1 The learned Advocates for the respective sides submit, on instructions, that they have no objection if this Court hears this matter.

2 This Civil Application is filed for seeking condonation of delay of 316 days in filing this application seeking restoration of Writ Petition No.5646/1996 which was dismissed for want of prosecution.

3 The learned Advocate for Respondent No.1 opposes the Civil Application contending that the award impugned in the petition has already been implemented and pursuant to his reinstatement, he has superannuated on 16.06.2015.

4 Considering the above and the fact that the delay cannot be termed as being deliberate or inordinate, the same is condoned by allowing this Civil Application. Writ Petition No.5646/1996 stands restored.

5 The learned Advocates make a further pray that the Writ Petition as is now restored, be considered for final hearing forthwith and they desire to address the Court in the petition today itself. The request is accepted.

kps

(RAVINDRA V. GHUGE, J.)