

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

CIVIL APPLICATION NO.220 OF 2016

IN

WRIT PETITION NO.12037 OF 2013

Shri. Venkateshwara Constructions Pvt. Ltd. .. Applicant

Versus

The Maharashtra State Electricity

Distribution Co. Ltd. and others .. Respondents

Mr. Chaitanya Malgaonkar i/by Mr. A. M. Gosavi, for the Applicant.

Mr. Rahul Sinha i/by DSK Legal, for the Respondent Nos.1 & 2.

CORAM : R.M. SAVANT, J.

DATE : 23rd MARCH 2016

PC.

1. The above Civil Application has been filed for restoration of the Writ Petition which has stood dismissed for non-prosecution on account of the non-appearance of the Advocate on 16.02.2015. The reasons for the non-appearance of the Advocate on the said day are mentioned in paragraph 5 of the Civil Application. Since the Petition has been dismissed on the ground of non-appearance of the Advocate, it would be just and proper to allow the Civil Application. The Civil Application is accordingly allowed in terms of prayer clause (a).

(3) -CAW-220-16.doc

Resultantly, the Writ Petition is restored to file. List the Petition for admission on 06.04.2016.

2. In so far as prayer clause (b) is concerned, the said prayer can be urged in the main Petition itself, when the above Petition is heard for admission.

[R.M. SAVANT, J]