

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 873 OF 2016
IN
WRIT PETITION NO. 7343 OF 2015

Narayan Krishna Patil and others. ... Applicants.
V/s.
Navi Mumbai Mahanagarpalika and another. ... Respondents.

Rahul Tahkur for the applicants.

CORAM : D.H.WAGHELA, C.J.

DATE : 4th July 2016.

PC. :

The application is filed for restoration of the main writ petition after it being dismissed for default by order dated 23rd February 2016. It appears from the record that even on earlier occasion on 25th January 2016 no one had appeared for the petitioners and then the matter was listed for dismissal on 23rd February 2016. It is further submitted by learned counsel for the applicants that on 23rd February 2016 he was on his legs before the Division Bench of this Court when the matter came to be dismissed. He submitted that he had mentioned before the same Court upon

learning that the petition was dismissed, but was asked to file a civil application for the purpose of restoration. Learned counsel has regretted his absence and apologized for having not been able to attend the admission hearing of the matter. He also submitted that the petitioners, 11 in number are employees claiming their statutory rights and hence a sympathetic view may be taken so as to restore the petition for its hearing and disposal on merits.

2. Under the circumstances, the application is allowed and Writ Petition No.7343/2015 is ordered to be restored to file with no order as to costs.

CHIEF JUSTICE