

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL APPLICATION NO. 2039 OF 2016
IN
WRIT PETITION NO. 12436 OF 2015**

Mahesh R. Deshmukh & Anr.	..	Applicants
<u>In the matter between :</u>		
Mahesh R. Deshmukh & Anr.	..	Petitioners
versus		
The State of Maharashtra & Ors.	..	Respondents

Mr. Aviraj S. Tarar for Applicants / Petitioners.
Mr. C. P. Yadav – AGP for State - Respondent Nos. 1 to 3.
Mr. Fauzan Shaikh i/b. M. V. Thorat for Respondent No. 4.

**CORAM: V. M. KANADE AND
M. S. SONAK, JJ.
DATE : 29 JULY 2016**

P.C.:

1] The applicants / petitioners are seeking restoration of writ petition which was dismissed for want of prosecution on 22 July 2016. The contention of the learned counsel appearing on behalf of the petitioners is that he was held up in traffic and therefore could not remain present.

2] We have perused the main petition. The petitioners in the main petition have challenged the order passed by the Tribunal asking the petitioners to add six selected persons who will be affected by the outcome of the original application, as party respondents. The petitioners have sought to challenge the said order by filing the writ petition.

3] For reasons stated in the civil application, the order dismissing the writ petition for want of prosecution is recalled and the civil application is allowed.

4] The writ petition is taken up for hearing. We find no infirmity in the order passed by the MAT. The order itself was passed in 2015. It is obvious that the petitioners' intention is to delay the proceedings before the MAT and therefore such type of frivolous writ petition has been filed in this Court. We are therefore not inclined to entertain the writ petition, which is hereby dismissed.

(M. S. SONAK, J.)

(V. M. KANADE, J.)

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