

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

**CIVIL APPLICATION NO.2637 OF 2016
IN
WRIT PETITION NO.5153 OF 2004**

Manohar Pundlik Sawant & Ors. .. Applicants

IN THE MATTER BETWEEN :

Manohar Pundlik Sawant .. Petitioner

V/s.

The State of Maharashtra & Ors. .. Respondents

.....
Mr. Vaibhav Joglekar i/b. M/s.TJS Legal, Advocate for the
Applicants/Petitioner.

Mr. Vikas Mali, AGP for Respondent-State.

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**CORAM : SHANTANU S. KEMKAR AND
PRAKASH D. NAIK, JJ.**

DATED : NOVEMBER 22, 2016.

P.C. :

Not on Board. Mentioned, taken on Board.

2 Heard the learned counsel appearing for the
applicants.

3 The applicants have filed this civil application seeking
restoration of Writ Petition No.5153 of 2004 which had suffered

dismissal on 9th June, 2015 for want of prosecution. As there is delay in filing the application, the explanation has been offered seeking condonation of delay. Having gone through the application, we have satisfied that the delay has satisfactorily explained. We have also gone through the averments made in the civil application seeking restoration. We are satisfied that there was sufficient cause for the absence of counsel when the case was called. In the circumstances, we allow the civil application and restore the Writ Petition No.5153 of 2004.

4 Civil Application is, accordingly, disposed of.

5 List the Writ Petition No.5153 of 2004 for hearing on 29th November, 2016.

(PRAKASH D. NAIK, J.)

(SHANTANU KEMKAR, J.)