

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 3041 OF 2015
IN
WRIT PETITION NO. 1145 OF 2013

Smt. Sunanda Shantaram Yewale .. Applicant

In the matter of

Smt.Sunanda Shantaram Yewale .. Petitioner

Vs.

Secretary Goregaon Education
Society and ors.

.. Respondents

Mr.V.V.Joglekar a/w Mr.Talukdar i/b Mr.Manish Pabale, for the
Applicant/ Petitioner.

Mr.P. P. Kakade, AGP for Respondent No.3 – State.

**CORAM : SHANTANU.S.KEMKAR &
M.S.KARNIK, JJ.**

DATE : 02nd SEPTEMBER, 2016

PC. :

. By filing this Civil Application, the applicant is seeking the restoration of Writ Petition No. 1145 of 2013 which was dismissed for non compliance of the order.

2. Learned Counsel for the petitioner submits that

under bonafide mistake and keeping in mind that 3rd respondent is a formal party, the steps for service of notice on 3rd respondent was not taken. He submits that in the circumstances, as a result, the order being peremptory in nature, the Petition stood dismissed.

3. For the reasons stated in the Civil Application supported by affidavit, we are satisfied that the delay in filing the Civil Application and the reasons stated for restoration appears to be just and sufficient so as to condone the same and restore the Writ Petition. As a result, we allow the Civil Application. Writ Petition No. 1145 of 2013 is ordered to be restored to its original number.

(M.S.KARNIK, J.)

(SHANTANU.S.KEMKAR, J.)