

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

**CIVIL APPLICATION NO.2971 OF 2016  
IN  
WRIT PETITION NO. 5015 OF 2016**

Subhash Motilal Shah & Ors.

.. Petitioners

V/s.

The State of Maharashtra & Ors.

.. Respondents

.....  
Mr.Praveen Hushing, Advocate for the Applicants.

Mr. Vikas Mali, AGP for Respondent – State.

.....

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

**DATED : DECEMBER 1, 2016.**

**P.C. :**

Not on Board. Mentioned, taken on Board.

2            Heard learned counsel appearing for the applicants  
on Civil Application.

3            For the reasons stated in the Civil Application, we are  
satisfied that there is sufficient cause for non appearance of the  
advocate for the petitioners when Writ Petition No.5015 of 2016  
was called out and dismissed in default. In the circumstances,

Civil Application is allowed. Writ Petition No.5015 of 2016 is ordered to be restored to its original file.

4            Let the petition be listed for admission on 15<sup>th</sup> December, 2016.

**(PRAKASH D. NAIK, J.)**

**(SHANTANU S. KEMKAR, J.)**