

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

C.A.O.NO. 623/2015 IN M.C.A.ST.NO.3373/2015
IN W.P.NO. 2228/2009.

Union of India and others.

-Versus-

Dr. Viraj Pralhad Narnaware

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

**CORAM : B.P. DHARMADHIKARI
& P.N. DESHMUKH, JJ.**

DATE : MAY 06, 2016.

Heard Mrs. A. Joshi, learned Counsel for the petitioners. Nobody for respondent though served. He is served before 03.09.2015. As none appeared for him on 22.04.2016, we adjourned the matter to today. Today against there is no appearance.

2. Prayer is to condone delay of 5 years and 34 days delay in filing M.C.A. for review. Reason for delay is that when Writ Petition No.2228/2009 was dismissed, counsel for Union of India, to whom the matter was assigned did not appear. He was not aware of the dismissal of the Writ Petition on 15.02.2009, and till date the said order is not

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uploaded on the site of Bombay High Court.

3. It is submitted that when in identical matter at Kolkatta, an enquiry was made, efforts were made by the petitioners to contact that counsel to find out status of Writ Petition No.2228/2009. At that juncture, the orders dated 15.12.2009 came to the notice, and therefore, an application for review with prayer for condonation of delay has been moved.

4. The statement on affidavit on behalf of Union of India is not controverted by the respondent. He has chosen not to appear and not to oppose the prayer for condonation of delay.

5. We therefore, condone the delay. Civil Application is accordingly allowed and disposed. Registry to register M.C.A.St.

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M.C.A.ST.NO.3373/2015.

Heard.

2. Issue notice to respondent, returnable on 11.07.2016.

JUDGE

JUDGE

Rgd.