

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

C.A.O.NO. 1403/2013 & M.C.A.ST.NO.14899/2013 IN W.P.NO. 1088/2009.

Shri Gajendra Singh Kundu

-VERSUS-

Union of India and others.

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 &
KUM. INDIRA JAIN, JJ.

DATE : JULY 01, 2016.

Heard Shri V.R. Choudhari, learned Counsel for the applicant and Shri S.A. Chaudhary, learned Counsel for non-applicants.

2. Learned Counsel for the applicant is seeking recall of orders dated 18.04.2012 and restoration of Writ Petition No. 1088/2009 back to file. Submission is, after transfer of matter from Bombay to Nagpur, when it was listed, as his name do not figure in the cause list, it went unattended. There is delay of 459 days in moving the Misc. Civil Application for restoration.

3. Reason for delay is as name did not figure in cause list, dismissal of matter could not come to the knowledge of the office of the learned Counsel within time.

4. Learned counsel appearing on behalf of the non-applicants, is seeking time as his instructions are

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still awaited.

5. However, in this situation perusal of Cause list circulated by the Bar Association for 18.04.2012 shows that name of Shri Choudhari, is not appearing therein.

6. We therefore, do not see any mala fides. Hence, we condone the delay. Civil Application is accordingly allowed and disposed of. Registry to register Misc. Civil Application.

Misc. Civil Application St.No. 14899/2013.

1. After Misc. Civil Application is registered, for same reasons, prayer made therein is also granted. Consequently, order dated 18.04.2012, is restored back to file. Misc. Civil Application is accordingly allowed and disposed of.

2. List Writ Petition for admission before appropriate Bench.

JUDGE

JUDGE

Rqd.