

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 9554 OF 2016 IN RC/1565/2014

EXECUTIVE ENGINEER M.J.P. WORKS DIVISION
VERSUS
KISAN RAMRAO DONGARE AND ANOTHER

...
Advocate for Applicant : Mr. D. P. Bakshi.
...

CORAM : K.K. SONAWANE, J.

DATED : 24TH NOVEMBER, 2017.

Order :-

Heard learned counsel for applicant.

2. Perused the application. It is contended on behalf of learned counsel for applicant that due to his personal family difficulty, he could not attend the matter, and consequently, Civil Application came to be dismissed for want of prosecution. He prayed to restore the application in the interest of justice.

3. In view of the nature of subject matter and the reasons mentioned in application as well as personal family difficulty of learned counsel for applicant, I find it justifiable to extend one more reasonable opportunity to applicant to pursue the matter for redressal. Hence, civil application stands allowed in terms of prayer clause 'B'. The impugned order of dismissal of Civil Application No. 4746 of 2014 dated 30-09-2014 is hereby set-aside and quashed. The proceedings of said Civil Application as well as First Appeal (Stamp) No. 1785 of 2014 be restored at it's original stage. The Registry to take note about the same and do the needful for further process. Accordingly, civil application stands disposed of in above terms.

**[K. K. SONAWANE]
JUDGE**

rrd.