

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE JURISDICTION

CIVIL APPLICATION NO. 419 OF 2017

IN

WRIT PETITION NO. 4459 OF 2016

The Saswad Mali Sugar Factory Ltd.	]	Applicant
Vs.		
Shri Rajendrakumar Vitthal Metkari	]	Respondents

.....
 Mr. Prasad B. Kulkarni, for the petitioner.
 Mr. Suhas S. Inamdar, for respondent.

.....

CORAM : R.G. KETKAR, J.
DATE : 19TH JUNE, 2017.

P.C.

Heard Mr. Kulkarni, learned Counsel for the applicant
 and Mr. Inamdar, learned Counsel for the respondent.

2. This is an application for recalling the order dated 27th June, 2016 passed by this Court after condoning delay of 162 days in filing the present application. Mr. Inamdar strenuously opposed the application on the ground that the petitioner is not interested in pursuing the Petition. Even on earlier occasion, none appeared on behalf of the petitioner and the Court dismissed the Petition for want of prosecution. He further submitted that no

case is made out for condoning 162 days delay in filing the application.

3. I have considered the rival submissions of the learned Counsel for the parties. I have also perused material on record. For the reasons stated in the application, I am satisfied that applicant has made out sufficient cause for condoning the delay. Hence, Civil Application is allowed in terms of prayer clauses (a) and (a-1) with no order as to costs. Writ Petition No. 4459 of 2016 is restored to its original position. Rule is made absolute accordingly.

[R.G. KETKAR, J.]