

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

**CIVIL APPLICATION NO.751 OF 2017
IN
WRIT PETITION NO.5014 OF 2016**

Dayanand Janya Gharat

... Applicant

Vs.

M/s.Mehar Associates & Ors.

... Respondents

Mr.Chintan Shah for Applicant

Ms.Aparna Shinde for Respondent Nos.4 to 10

Ms.B.H. Bajwa for Resp. Nos.1 to 3

Ms.D.S. Mondkar Hule for Resp. No.13

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: MARCH 31, 2017**

P.C. :

1. Pursuant to the order dated 8.8.2016, Writ Petition No.5014 of 2016 was dismissed for want of non-compliance and non-removal of office objections. The Civil Application is filed for restoration of Writ Petition No.5014 of 2016. Further, there is a delay of 190 days in filing the Civil Application for restoration of Writ Petition No.5014 of 2016. The learned Counsel submits that the delay caused is due to non-availability of certified copies and the learned Counsel had knowledge of the same after a few days as inadvertently, the matter went unnoticed. The learned Counsel for

private Respondents are present. The learned Counsel for the applicant submits that respondent Nos.11 and 12 are formal parties. He has also made a statement that the office objections, if any, will be removed within a week from today.

2. In view of these submissions of the learned Counsel for the applicant, the application is allowed. Delay is condoned. Writ Petition No.5014 of 2016 is restored to its original file. The learned Counsel for the applicant is directed to remove office objections and comply with the order of this Court within one week from today.

3. Civil Application stands disposed of accordingly.

(MRIDULA BHATKAR, J.)