

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

**CIVIL APPLICATION NO.2109 OF 2017
IN
WRIT PETITION NO.3610 OF 2016**

**Laxman Baburao Madival : Applicant.
Versus
The State of Maharashtra and ors. : Respondents.**

**Mr.J P Kharge for the Applicant.
Mr. U R Mankapure for the Respondent No.5.
Ms. Nisha M Mehra, AGP for the Respondent/State.**

**CORAM : R. M. SAVANT &
SARANG V KOTWAL, JJ.
DATE : 03rd October 2017**

P.C.

1 The above Civil Application has been filed for restoration of the above Writ Petition which has stood dismissed for non-prosecution on account of the conditional order dated 08/09/2016 passed by the learned Registrar (Judicial-I) of this Court. The Applicant/original Petitioner also seeks condonation of delay of 312 days in filing the Application. The reasons therefor are mentioned in the Application.

2 The learned counsel appearing for the Respondent No.5 Shri U R Mankapure who is the main contesting Respondent opposes the Application but ultimately leaves it to the Court.

3 Since the above Writ Petition has been dismissed for non-

prosecution, it would be just and proper to show one final indulgence to the Applicant/original Petitioner. Hence accepting the reasons mentioned in the Application, the delay of 312 days in filing the Application stands condoned. The above Civil Application is accordingly allowed and made absolute in terms of prayer clauses (a) and (b). Resultantly the above Writ Petition is restored to file. List the above Writ Petition for admission on 11/10/2017. The above Civil Application is accordingly disposed of.

[SARANG V KOTWAL, J]

[R.M.SAVANT, J]