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

**CIVIL APPLICATION NO.192 OF 2017
IN
WRIT PETITION NO.11389 OF 2014**

Ramchandra Shankar Pandhare & Ors. ..Applicants
Vs.
Shri Mhaskoba Devasthan Trust Pune & Ors. ..Respondents.

Ms. Sanjana Pardeshi i/b Law Global Advocates for applicants.
Mr. Rajesh More for Respondent Nos.1 & 3.

CORAM: A.S. GADKARI. J.

DATE: 28 AUGUST 2017.

P.C.:

1] This is an application for restoration of petition which was dismissed for non-prosecution by an Order dated 16th August 2017.

2] Learned Counsel for the respondents vehemently opposed the application and submitted that there is delay of about 115 days and the same is not properly explained.

3] For the reasons stated in the application and in the interest of justice, delay of 115 days in preferring the present application is condoned

and the application is allowed in terms of prayer clause (a) subject to condition that the applicants shall pay a cost of Rs.5000/- to the High Court Legal Aid Committee within a period of two weeks from today. Payment of costs is condition precedent for restoration of the petition.

4] Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)