

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

**CIVIL APPLICATION NO. 1398 OF 2017
IN
WRIT PETITION (ST) NO. 10057 OF 2017**

The Chief Executive Officer,
Zilla Parishad, Kolhapur

...Petitioner/Applicant

vs.

Smt.Sujata S. Gaikwad

...Respondent

Mr.Swapnil Mohite with L. Countinho I/b. S.R. Nargolkar for Applicant.

CORAM : PRASANNA B. VARALE, J.

DATE : 9 AUGUST 2017

P.C. :

Heard learned Counsel Mr.Swapnil Mohite appearing with Mr.L.Countinho for the Applicant.

2 By the present application, the Applicant prays for restoration of the petition. It is submitted that for non-compliance of the office objections, the petition was dismissed in default. Learned Counsel submits that the conditional order was passed due to oversight of the clerk of the learned Advocate, the office objections could not be removed with the stipulated period. It is submitted by learned Counsel that on an inquiry, it was revealed that the petition was dismissed for non-removal of office objections. Learned Counsel submits that as it took some time to seek necessary instructions and file application and as the Applicant / Petitioner is a Zilla Parishad, Kalhapur, it required some time for the matter moving from one department to other department. Thus, the delay caused in filing the application is purely unintentional and for bonafide reasons. Learned Counsel, thus, prays

for condonation of delay and restoration of the petition.

3 In view of the submission of learned Counsel and for the reasons stated in the application, the application is allowed. The delay is condoned and the petition is restored.

(PRASANNA B. VARALE, J.)