

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****ORDINARY ORIGINAL CIVIL JURISDICTION****NOTICE OF MOTION NO.553 OF 2015****IN****WRIT PETITION NO. 495 OF 2014**

Mr. Ramdulare Ganesh Kori

.... Applicant

In the matter of :

Ramdulare Ganesh Kori

...Petitioner

Vs.

MHADA and anr.

...Respondents

Mr. A.A. Pande for the Petitioner.

**CORAM : SHANTANU KEMKAR &  
SMT.ANUJA PRABHUDESSAI, JJ.****DATE : SEPTEMBER 07, 2017**

P.C.:

Heard learned counsel for the petitioner on the Notice of Motion seeking restoration of the Writ Petition No.495 of 2014 which suffered dismissal on 8.12.2014 for want of prosecution. Since there is delay in filing the Notice of Motion, prayer has been made to condone the same. The delay is of 273 days.

2. We have gone through the reasons stated for condonation of delay in filing the notice of motion in time and we are satisfied about the explanation offered. In the circumstances, we condone the delay.

3. We have also considered the reasons sated in the Notice of Motion seeking restoration of the writ petition. We find that there was sufficient cause for non appearance of the counsel when the said writ petition was called for hearing. In the circumstances, we allow the Notice of Motion and order restoration of the writ petition No. 495 of 2014 to its original number.

4. Notice of Motion is disposed of.

**(SMT.ANUJA PRABHUDESSAI, J.)      (SHANTANU KEMKAR, J.)**