

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

**CIVIL APPLICATION NO.636 OF 2018
IN
WRIT PETITION NO.2230 OF 2016**

Kinetic Engineering Limited

.. Applicant

Vs.

Govind Vithal Kamble

.. Respondent

Mr. D. J. Bhanage for the applicant.

None for the respondent.

CORAM : A.K. MENON, J.

DATED : 27TH MARCH, 2018.

P.C. :

1. This civil application is taken out for restoration of Writ Petition no.2230 of 2016. The record indicates this writ petition was dismissed for non-prosecution on 1st August, 2016. Thereafter on 9th February, 2017, the Civil Application no.269 of 2017 was allowed and the petition is restored. Yet again, on 12th April, 2017 when the petition is called out, none appeared for the petitioner. The petition was once again dismissed for default.
2. Heard the learned counsel for the petitioner and the averments in the civil application. For the reasons set out in the civil application, the application deserves to be allowed. In the circumstances, I pass the

following order:-

- (i) Civil Application is allowed in terms of prayer clauses (a) and (b).
- (ii) Place the Writ Petition on 16th April, 2018 for admission.
- (iii) Private notice to be served on the respondent.
- (iv) Affidavit of service to be filed before the next date.

(A.K. MENON,J.)

wadhwa