

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2078 OF 2018
IN
WRIT PETITION NO.3564 OF 2017

Shri Ishwarlal Gulabbhai Desai & Ors. ... Applicants

Versus

The Collector, Union Territory of
Daman & Diu. ... Respondents

Ms. Manjiri Parasnis for Applicants.
Mr. S. S. Deshmukh for Respondent.

**CORAM : SHANTANU S. KEMKAR &
SARANG V. KOTWAL, JJ.**
DATE : 25th SEPTEMBER, 2018.

P.C. :

By the present Civil Application No.2078/18 the Applicants are seeking restoration of Writ Petition No.3564/97 which suffered dismissal on 28/07/2017 for non-appearance of the Counsel when the case was called. Civil Application is delayed by three days and as such cause has been shown explaining the said delay.

2. Having considered the reason assigned for condonation of delay in filing the application, we condone the delay. We have also considered the reason assigned for restoration of the Writ Petition. We find that there was sufficient cause for non-appearance of the Counsel when the case was called. In the circumstances, the Application is allowed. Writ Petition No.3564/97 be restored to its original number.

3. As a result, the Civil Application filed in the said Writ Petition also stands restored.

(SARANG V. KOTWAL, J.)

(SHANTANU S. KEMKAR, J.)