

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

**CIVIL APPLICATION NO.3071 OF 2016  
IN  
WRIT PETITION st. NO.23105 OF 2015**

Shri Ramesh Ramlautan Jaiswal ... Applicant

Vs.

Reliance Energy Limited & anr. ... Respondents

Mr.Shrishail Sakhare for the Applicant  
Mr.R.S. Yadav for Respondent No.2

**CORAM: Mrs.MRIDULA BHATKAR, J.  
DATED: JUNE 7, 2018**

**P.C. :**

1. This application is moved for restoration of the Writ Petition which was dismissed by the order dated 14.7.2016 for non-compliance of the office objections. There is a delay in filing the application for restoration, which is prayed to be condoned.
2. On perusal of the record, it appears that on 1.9.2015, this Court granted interim relief in favour of the petitioner. Thereafter, this Court directed on 14.7.2016 to remove office objections as the office objections were not removed for 8 months. The learned Counsel for respondent No.2 who is impleaded in the Suit No.2338

of 2012 in the array of the defendants by way of order dated 4.8.2015 in Chamber Summons No.194 of 2013. The said order is challenged in the Writ Petition. The learned Counsel for respondent No.2 submits that though the petition was dismissed in 2016, he did not carry out any amendment in the plaint and the suit could not proceed and it remained as it is.

3. In view of this, considering the submissions, the Civil Application is allowed and the conditional order of dismissal dated 14.7.2016 is set aside. Writ Petition St. No.23105 of 2015 is restored to its original file alongwith the inteim orders, if any, therein, subject to payment of costs of Rs.10,000/- to be paid the respondents, to be divided equally between the respondents.

4. Office objections to be removed within two weeks from today. Copy of the Writ Petition is to be served on respondent No.2 immediately.

5. Civil Application is disposed of accordingly.

**(MRIDULA BHATKAR, J.)**