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

***CIVIL APPLICATION NO.2181 OF 2018
IN
CIVIL WRIT PETITION NO.5982 OF 2012***

Rajeshkumar Ramasare Gupta	...Applicant
Versus	
Mumbai Metropolitan Regional Development Authority	...Respondent

Mr.V.B.Ghorpade, for the Applicant.

Ms.Ritika Jhaveri a/w Ms.Chitra Phadke i/b Mr.Kiran Bhagalia, for the Respondent.

CORAM : REVATI MOHITE DERE, J.

DATE : 12th OCTOBER, 2018

P.C. :

1. Heard learned counsel for the Applicant.
2. By this application, the Applicant has sought the following substantive prayers:-

15.(d) That order passed on 2nd July, 2013, by her Ladyship Justice Smt. Vasanti A. Naik in above Writ Petition no.5982 of 2012 be altered, reconsidered, modified or set aside restoring above

petition on record and be heard on merits;

(e) Delay, on the part of the petitioner in preferring present civil application be condoned as special case.

3. Learned Counsel for the Applicant submits that the Applicant was completely unaware of the order dated 2nd July, 2013. He further submitted that the Advocate on record who appeared for the Petitioner in the aforesaid Writ Petition had not informed the Petitioner of passing of the order dated 2nd July, 2013 nor the Applicant/Petitioner was present in Court, as a result of which, there is a delay in filing the aforesaid Civil Application.

4. Perused the papers. This Court vide order dated 2nd July, 2013, was pleased to dismiss the Writ Petition. It appears that the Petitioner's Advocate Mr.Ashish Baraskar had appeared in the said Writ Petition.

5. The said order dated 2nd July, 2013 is on merits and as such the question of reconsidering/altering/modifying and setting aside the said order does not arise.

6. The Application is accordingly rejected.

(REVATI MOHITE DERE, J.)