

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

**CIVIL APPLICATION NO.250 OF 2018
IN
WRIT PETITION NO.6756 OF 2006**

Gurulinga Kalappa Ambole
(Since Deceased) through Lrs.
1A) Gangabai G. Ambole & Ors.
V/s.

...Applicants

The State of Maharashtra & Ors.

...Respondents

Mr.R.B. Vijaymane i/b Mr.S.A. Rajeshirke for the Applicant.

Mr.P.G. Sawant, AGP for Respondent-State.

**CORAM : RANJIT MORE &
SMT.ANUJA PRABHUDESSAI, JJ.**

DATE : 05th FEBRUARY 2018

P.C.

1. Heard.

2. Civil Application is filed for recall/restoration of above petition.

3. By the order dated 11th September 2017 this Court dismissed the said petition for non-prosecution as none appeared on behalf of the petitioner.

4. The averments are made in the Civil Application that on the particular day the board had collapsed and therefore the advocate could not remain present. The record shows that earlier also the petition was dismissed for default on 24th July 2017 and it was restored by the order dated 16th August 2017.

5. In above circumstances, by way of indulgence we restore the above Writ Petition. However, the same shall be subject to the payment of cost which is quantified at Rs.5,000/- to be paid to the State Legal Service Authority within a period of two weeks from today.

6. The Civil Application is disposed of accordingly.

(SMT.ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)