

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

**CIVIL APPLICATION NO. 313 OF 2017
IN
WRIT PETITION ST. NO. 18289 OF 2009**

Kolte Patil Developers Limited ...Applicant

Versus

The Union of India & Ors. ...Respondents

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Mr.Girish Godbole i/b. Ms. Shruti Tulpule and Mr.Kaustubh
Thipsay for the Applicant.

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**CORAM : A. M. DHAVALA, J.
DATE : AUGUST 29, 2018**

PC :-

1. Heard learned advocate for the applicant.
2. This Civil Application is moved for restoration of Writ Petition (St.) No. 18289 of 2009.
3. Writ Petition (St.) No. 18289 of 2009 was dismissed on 18th January, 2010 for non-removal of office objections namely (1) some pages were not legible (2) in some pages

margin was not left and (3) one page was not signed by the advocate. The objections do not relate to the material aspects like limitation, valuation, court fee and jurisdiction. The party has no role in the matter and it was the job of the advocate.

4. It is reported that the advocate for the applicant was elevated to the bench and other advocate had gone on maternity and, therefore, the matter remained unattended for want of advocate. There is gross delay. Considering the above facts and in the interest of justice, Civil Application is allowed subject to payment of cost of Rs. 25,480/- payable to the Chief Minister Relief Fund, Kerala.

5. The office objections to be removed within a period of two weeks from today.

[A. M. DHAVALÉ, J.]