

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

**CIVIL APPLICATION NO. 2163 OF 2018
IN
WRIT PETITION NO. 10614 OF 2018**

Umesh Motwani **... Applicant**

V/s.

The Divisional Joint Registrar
Co.Op. Society and Ors. **... Respondents**

Mr. Brijesh Shukla for the Applicant.
Mr. A.P. Vanarase, AGP for respondent Nos. 1 and 2.
Mr.L. Foria with Chirag Desai I/b Solicis Lex for the Respondent Nos. 3
to 5.

**CORAM : K. K. TATED, &
N.J.JAMADAR, JJ.
DATE : 25th OCTOBER, 2018**

P.C.:

. Heard learned Counsel for the parties.

2 By this Civil Application, the Applicant is seeking restoration of
Writ Petition No. 10614 of 2018 which stands dismissed in view of
conditional order dated 28.08.2018.

3 Considering the submission made by learned Counsel for the
Applicant and averment made in Civil Application, we are satisfied that
Applicant has made out a case for allowing this Civil Application on
payment of costs of Rs.1500/- to the Respondent No.4 Society.

4 Hence, following order is passed:

a) Writ Petition No. 10614 of 2018 is restored on file for hearing on its own merits.

b) Learned AGP and Advocate for the Respondents waive service for Respondent Nos. 1, 2, 3, 4, 5 respectively in Writ Petition.

c) Applicant to pay costs of Rs.1500/- to the Respondent No.4. Cost to be paid within one week from today.

5 Civil Application stands disposed of accordingly.

(N.J.JAMADAR, J.)

(K.K.TATED, J.)