

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTIC OF MOTION NO.458 OF 2018
IN
WRIT PETITION NO.118 OF 1994**

Roshanlal S Jain

..Applicant

Vs.

**Maharashtra Housing & Area
Development Authority & Ors**

..Respondents

**Ms Rakhee Dube i/b Kumar & Associates for the Applicant
Mrs Sayli Apte I/b Mr. P. G. Lad for the Respondent No.1
Ms Ruchita Kadam I/b Mr. S.A. Dhamale for the Respondent No.4**

**CORAM :R. M. SAVANT, &
N. J. JAMADAR, JJ
DATE : 4th DECEMBER, 2018**

P.C.

1 The above Notice of Motion has been filed for restoration of the above Writ Petition which has been dismissed for non prosecution on account of the non appearance of the Advocate for the Petitioners on 5-6-2017. The reasons for the non appearance of the Advocate are mentioned in the Affidavit in Support of the Notice of Motion. The above Writ Petition was pending hearing and final disposal. It would be therefore just and proper to give a final opportunity to the Petitioners to prosecute the above Writ Petition on merits. The Notice of Motion is therefore required to be allowed and is accordingly

allowed and made absolute in terms of prayer clauses (a) and (b). On restoration list the Petition for final hearing in the week commencing on 17-12-2018.

2 The Notice of Motion is accordingly disposed of.

[N. J. JAMADAR, J]

[R.M.SAVANT, J]