

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2633/2017
IN
WRIT PETITION (ST) NO.12468/2015

Vithoba eknath Gunjekar & Ors. ... Applicants

V/s.

Arun Machhindra Ghadage & Ors. ... Respondents

Mr. V. S. Talkute for the Applicants

CORAM: K.K. TATED, J.

DATED : JANUARY 23, 2019

P.C. :

1 Heard. By this Civil Application, they are seeking restoration of the Writ Petition which stood dismissed for non compliance of conditional order dated 14.07.2016. He further submits that inadvertently it remained on their part to comply with the said order within time. The learned counsel for the Applicant undertakes to remove all office objections on or before 16.02.2019. He further submits that in the interest of justice, this Hon'ble Court be pleased to restore the Writ Petition for hearing on merits.

2 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. At the same time, the Applicant

will have to pay cost of Rs.1500/-.

3 Hence, following order is passed:

- a. Writ Petition is restored to file.
- b. Time to comply with the order dated 14.07.2016 is extended till 16.02.2019.
- c. The Applicant to pay costs of Rs.1500/-.
- d. Cost shall be paid to Kirtikar Law Library, High Court, Mumbai, on or before 31.01.2019 and place a receipt thereof on record, failing which the Civil Application shall stand dismissed without further reference to the court.
- e. Civil application stands disposed off accordingly.

(K. K. TATED, J.)