

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1 OF 2019

IN

WRIT PETITION (ST) NO. 15586 OF 2018

Shri. Sushil Chunilal Anand & Ors. .. Applicants

Versus

Shri. Hrishikesh Dashrath Galnde & ors. .. Respondents

Mr. Sr. Ronghe for the applicants

Ms. S. Shaikh I/b Mr. Pravin Gaikwad for respondents.

CORAM : K.K. TATED, J.

DATE : 10 JANUARY 2019.

P.C:-

. Heard learned Counsel for the parties.

2. By this Civil Application, applicant is seeking restoration of Writ Petition Stamp No.15586 of 2018 which stands dismissed in view of conditional order dated 27.11.2018 passed by this Court for non removal of office objections. Learned counsel for the applicant submits that it remain on their part to take appropriate steps to remove all office objections. He submits that in the interest of justice this Court be pleased to extend the time to comply the order dated 27.11.2018. He submits that if this Civil

Application is not allowed, irreparable loss will cause to them. He submits that applicant have good chance of success in the present proceedings.

3. On the other hand learned Counsel appearing on behalf of respondent Nos.1 and 2 vehemently opposed present Civil Application. He submits that applicant failed to comply order dated 27.11.2018 within time. Therefore, there is no question of allowing this Civil Application.

3. I heard both the sides at length. It is to be noted that because of mistake on the part of the advocate, litigant should not suffer. Considering these facts, applicant has made out case for allowing this Civil Application. Hence, following order :

- a) Writ petition (stamp) No.15586 of 2018 is restored on file for hearing on its own merits.
- b) Applicant is permitted to remove all office objections on or before 31.01.2019, failing which Civil Application stands dismissed without reference to the Court.
- c) Civil Application stands disposed of.

(K.K.TATED, J.)