

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAO) NO. 950 OF 2016
AND
MISC. CIVIL APPLICATION ST. NO.6572 OF 2016
IN
REJ. M.C.A. NO. 191 OF 2016
AND
CIVIL APPLICATION (CAO) ST. NO. 1567 OF 2016
AND
MISC. CIVIL APPLICATION ST. NO.1566 OF 2016
IN
WRIT PETITION NO.2422 OF 2013 (D)

(VIJAY MAHADEV SADANSHIV...VS.. STATE OF MAHARASHTRA & OTH.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri M.V.Bute, Advocate for Applicant/Petitioner.

CORAM : Z.A.HAQ, J.
DATED : JUNE 28, 2019.

CIVIL APPLN.NOS.950/2016 & MCA ST.6572/2016.

Writ Petition filed by the petitioner was dismissed by order dated 11th June 2013, for want of prosecution. The petition was dismissed before notices of the petition could be issued to the respondents. The petitioner had filed Misc. Civil Application Stamp No. 1566 of 2016 praying that the petition be restored. There was delay of about 914 days in filing the Miscellaneous Civil Application and therefore, the Civil Application Stamp No. 1567 of 2017 was filed. As the office objections were not removed, registration of the Civil Applications was refused.

Now, Misc. Civil Application Stamp No. 6572 of 2016 is filed praying that Misc. Civil Application Stamp No.

1566 of 2016 be restored. There is delay in filing Misc. Civil Application St. No. 6572 of 2016 and therefore, Civil Application No. 950 of 2016 is filed.

Accepting the explanation given in the applications, and as the petition has been dismissed before notices of the petition could be issued, without issuing notices to the non-applicants/respondents, the delay of 19 days in filing Misc. Civil application Stamp No. 6572 of 2016 is condoned, the order passed by learned Registrar (Judicial) on 22nd February 2016 is set aside and the Misc. Civil Application Stamp No. 1566 of 2016 is restored.

Civil Application No.950 of 2016 and Misc. Civil Application Stamp No. 6572 of 2016 are **allowed** accordingly.

CIVIL APPLN.NO.1567/2016 & M.C.A.ST.NO.1566/2016

List these applications before appropriate Division Bench.

JUDGE