

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

MISC. CIVIL APPLICATION 920 OF 2019
IN
WRIT PETITION 3821 OF 2000

Shri Ravindra s/o Rambhau Ingle.
V/s
Zilla Parishad, Buldana through its
Chief Executive Officer, Buldana, Dist. Buldana and others.

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

Court's or Judge's orders.

Shri S.W. Nandeshwar, counsel for petitioner.
Shri N.S. Rao, AGP for respondent 3.

CORAM: ROHIT B. DEO, J.

DATE: 16.09.2019.

This application is taken out for restoration of the writ petition which is dismissed for default.

2. Be it noted, by the order dated 29.08.2019 the petition is dismissed for the second time.

3. Even earlier, the petition was dismissed since nobody appeared on behalf of the petitioner. As an indulgence, this Court restored the petition subject to payment of costs.

4. There is absolutely no justification for non-appearance of the learned counsel. Perusal of the application for restoration shall reveal that a vague

statement is made that the learned counsel was appearing before some other Court on 29.8.2019. However, it is noted in the order of dismissal that even on the earlier two dates there was no appearance on behalf of the petitioner. There is no explanation in the application, why on the earlier two dates there was no appearance on behalf of the petitioner.

5. However, the learned counsel for the petitioner states that since the petition has an excellent case on merits, the cause may not be jettisoned due to the negligence of the counsel.

6. In view of this statement, subject to payment of costs of Rs. 2,000/- to be deposited with the High Court Legal Services Sub-Committee, Nagpur, the petition is restored with a further condition that the petition shall be finally argued on 19.09.2019 since the petition is of the year 2000. If the petition is not finally argued on 19.09.2019, the petitioner shall pay further costs of Rs. 10,000/- to the High Court Legal Services Sub-Committee, Nagpur.

JUDGE