

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 415 OF 2019
IN
WRIT PETITION STAMP NO. 4353 OF 2018**

Ashok H. TameApplicant/
Org. Petitioner
versus
The Bombay Municipal Corporation and ors.Respondents
Mr. Avinash Fatangare, advocate for the applicant.
Ms. Trupti Puranik, advocate for MCGM.

**CORAM : RANJIT MORE &
SURENDRA P. TAVADE, JJ.**

DATE : 13th JANUARY, 2020.

P. C. :

Heard learned counsel appearing for the respective parties.

2. The notice of motion is filed seeking recall of the order dated 30th August, 2019, passed by the Prothonotary and Senior Master in writ petition stamp No.4353 of 2018. Further directions are also sought to restore the writ petition on file by condoning delay of 11 days occurred in filing the present notice of motion.

3. The above mentioned writ petition was placed before the Prothonotary and Senior Master on 30th July, 2019. On the the said date,

the petitioner and or his advocate were directed to remove the office objections and to get the petition numbered and/or registered on or before 20th August, 2019, failing which, the petition was to stand rejected under the provisions of Original Side Rules 986 for non-compliance of office objections.

4. Learned counsel for the petitioner submitted that the office objection was only regarding translation and he inadvertently could not remove the same. He, however, makes a statement that he will remove the said objection within two weeks from today. The statement is accepted as an undertaking to this Court. The petitioner has also explained the delay occurred in filing the above notice of motion.

5. In the above circumstances, we allow the notice of motion in terms of prayer clauses (a) and (b). The petition is accordingly restored to its original file.

6. The notice of motion stands disposed of.

[SURENDRA P. TAVADE, J.]

[RANJIT MORE, J.]