

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

Civil Application [CAO] No.1913 of 2018
and
Civil Application [MCA] St. No.23760 of 2018
in
Writ Petition No.4983 of 2013 (D)

Digambar s/o Damduji Kale

vs.

*The Union of India, through its Secretary, Ministry of Communications & Information
Technology, Department of Posts, New Delhi & others*

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*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

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Court's or Judge's Orders

*Shri Kaustubh Deogade, Advocate for the Applicant/Petitioner.
Shri U.M. Aurangabadkar, A.S.G.I. for the Non-Applicants/Respondents.*

CORAM : V.M DESHPANDE & S.M. MODAK, JJ.
DATE : 18th FEBRUARY, 2020

01] Heard Shri Kaustubh Deogade, learned Counsel for the applicant in these two applications and Shri U.M. Aurangabadkar, learned Assistant Solicitor General of India, who waives service for all the non-applicants.

02] Civil Application No.1913/2018 is an application for condonation of delay in filing the Civil Application [MCA] St. No.23760/2018, which is the application for restoration of the writ petition, which was dismissed for want of prosecution on 23/03/2017. After hearing both the learned Counsel and after perusing the pleadings in these two applications, we are of the view that these two applications can be allowed. Consequently, we pass the following order :

ORDER

- I. Civil Application No.1913/2018 is allowed and the delay of 526 days in filing the application for restoration of the writ petition is hereby condoned.
- II. Office is directed to register Civil Application [MCA] St. No.23760/2018.
- III. The civil application for restoration of the writ petition is hereby allowed.
- IV. The order, dated 23/03/2017 dismissing Writ Petition No.4983/2013 is hereby recalled.
- V. Writ Petition No.4983/2013 is restored to file.

JUDGE

JUDGE

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