

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

923 CIVIL APPLICATION NO.3961 OF 2021
IN
WRIT PETITION NO. 11761 OF 2016

BHAUSAHEB BABU CHANDE
VERSUS
BABASAHEB MAHADEO AVCHAR AND ANOTHER

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Mr. R.R. Karpe, advocate for the applicant.

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CORAM : **N.J. JAMADAR, J.**

DATE : 25th March 2021.

PER COURT :-

1. This application is taken out to condone the delay of 1115 days in seeking restoration of Writ Petition No. 11761 of 2016, which came to be dismissed in terms of peremptory order dated 12th January 2018 for failure to take steps to serve the unserved respondents.
2. There are averments in the application in justification of the prayer for condonation of delay and the restoration of writ petition.
3. For the reasons assigned in the application and to advance the cause of substantive justice, the application is allowed in terms of prayer clauses 'B' and 'C'.
4. Writ Petition No. 11761 of 2016 stands restored.
5. The Civil Application stands disposed of.

(N.J. JAMADAR, J.)