

Uday S. Jagtap

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 1742 OF 2021
IN
WRIT PETITION (L) NO. 24069 OF 2019**

Shankar Changadev More .. Applicant

In the matter between
Shankar Changadev More .. Petitioner

Vs.
Mrs. Suvarna Shankar More & Ors. .. Respondents

.....
Mr. Arif Ali M. Ali for the applicant
Mrs. S.S. Bhende, AGP for respondent State

**CORAM : K.K. TATED &
PRITHVIRAJ K. CHAVAN, J.J.**

DATED : 5th AUGUST, 2021

P.C.

1. Heard learned Counsel for the parties.
2. Liberty is granted to the applicant to carry out amendment during the course of the day.
3. By this interim application, the applicant is seeking restoration of Writ Petition (St.) No. 24069 of 2019, which stand dismissed in view of conditional order dated 18th February, 2021 for non removal of office objections.

4. The learned Counsel for the applicant submits that on 18th February, 2021 only respondent – State had appeared and, therefore, it was necessary to serve the other respondents. The learned Counsel for the applicant submits that this Court by order dated 18th February, 2021 directed the applicant to remove all office objections on or before 2nd March, 2021, failing which writ petition shall stand dismissed without reference to the Court.
5. He submits that because of Covid-19 pandemic and as the staff was not available with the Registry of this Court, it remained on their part to remove the office objections. The learned Counsel for the applicant submits that this Hon'ble Court be pleased to allow the present application and restore the writ petition to its file for hearing. He submits that the applicant shall remove all office objections within a period of 4 weeks from today. He submits that if the petition is not restored, irreparable loss will be caused to the petitioner.
6. Considering the submissions made by the learned Counsel for the applicant and the reasons given in the application, we are satisfied that the applicant has made out a case for restoration of the petition. Hence, the following order is passed :-

ORDER

- (i) Writ Petition (St.) No. 24069 of 2019 is restored to file for hearing.
- (ii) Applicant to remove all office objections on or before 18th September, 2021, failing which petition shall stands dismissed without further reference to the Court.
- (iii) Interim Application is disposed of accordingly.
- (iv) No order as to costs.

(PRITHVIRAJ K. CHAVAN, J.)

(K.K. TATED, J.)