

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.3779 OF 2021
IN
WRIT PETITION NO.12947 OF 2019

Anandrao Dattatreya Bhondave .. Applicant/
Petitioner

Versus

Housabai Dattatreya Bhondave (since
deceased) through LHR & Ors. .. Respondents

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Mr.Sanjay Kshirsagar for the Applicant/Petitioner.

Ms.Mrunmayi Khambete i/b Mr.V.B.Tapkir for the Respondent
Nos.3, 8, 10 & 11.

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CORAM: BHARATI DANGRE, J.
DATED : 04th DECEMBER, 2021

P.C:-

1. The interim application is taken out for restoration of the writ petition, which came to be dismissed on account of non-compliance of the order passed on 04/03/2020.

While notice was issued to the respondents, it was expressed by the Court that the petition will be disposed of at the stage of admission and the petitioner was directed to supply a spare copy in the Registry within 10 days. On failure to deposit the spare copy, the Court directed that the petition shall stand dismissed for non-prosecution. This order was

passed on 04/03/2020 and, since, the Covid pandemic surfaced immediately thereafter, the order could not be complied with. Resultantly, the writ petition stood dismissed.

2. On hearing the learned counsel for the applicant/petitioner and the learned counsel for the respondent Nos.3, 8, 10 & 11, I am convinced that the writ petition deserves its restoration and it must be heard on merits. Necessarily, the order of dismissing the writ petition is set aside. Writ Petition No.12947 of 2019 is restored to its file.

3. Since it is informed by the learned counsel for the applicant/petitioner that respondent Nos.3, 8, 10 and 11 are the only contesting respondents and they are represented by the learned counsel Ms.Khambete, parties are at liberty to circulate the writ petition for admission.

4. Interim application stands disposed of accordingly.

(SMT. BHARATI DANGRE, J.)