

Bhogale

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

**INTERIM APPLICATION NO. 89 OF 2019
IN
WRIT PETITION NO. 14070 OF 2018**

Kunal M. Bamrotia & ors. .. Applicants

IN THE MATTER BETWEEN

Kunal M. Bamrotia & ors. .. Petitioners
vs.

Joint Charity Commissioner II, Worli & ors. .. Respondents

Mr. Mohit P. Bhansali for the Applicants.

Mr. Makarand Kale for Respondent Nos.2 and 3.

Mr. P.P. Pujari, AGP for the State/Respondent No.1.

CORAM : M.S.KARNIK, J.

DATE : FEBRUARY 16, 2021

P.C.:-

This is an application for restoration of the Petition which was dismissed for non prosecution vide order dated 23.07.2019 passed by this Court. Learned counsel for the Respondents especially learned counsel for Respondent Nos.2 and 3 vehemently opposed the application. According to him the reasons mentioned in the application are not sufficient to justify recalling the order. Further according to him there is delay of 7 days in filing the application and therefore he submits that

applicants are not interested in prosecuting the Petition at all stages.

2. However, for the reasons mentioned in the application, I am satisfied that the delay of filing the application deserves to be condoned. Also for the reasons mentioned in the application and considering the oral submissions made, the present application deserves to be allowed. The order dated 23.07.2021 is recalled. Consequently Writ Petition No.14070 of 2018 is restored to file. The Application is disposed of.

(M.S.KARNIK, J.)

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