

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

MISC. CIVIL APPLICATION NO.171 OF 2019
IN WRIT PETITION NO.2455 OF 2004

(Ku. Hemlata d/o Shriram Chavan vs. Zilla Parishad, Akola and another)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Shri N.R. Saboo, Advocate for applicant.
Shri N.R. Patil, Assistant Government Pleader for
respondent no.2.

CORAM : SUNIL B. SHUKRE AND
AVINASH G. GHAROTE, JJ.

DATED : JANUARY 5, 2021

Heard Shri Saboo, learned Counsel for
the applicant and Shri Patil, learned Assistant
Government Pleader for respondent no.2.

2) The application seeks to set aside the
order dated 24/4/2018 dismissing the petition for
want of prosecution. In the application for
restoration of petition, it is submitted that since
identical matters were listed and the present matter
was not marked, the order of dismissal of petition in
default came to be passed. It is further submitted
that it is an inadvertent mistake on the part of the
Counsel, for which applicant should not suffer.

3) Accepting the statements made in the

application, the order dated 24/4/2018 is recalled and the petition is restored back to file. However, in the circumstances, cost of rupees five thousand is levied on the applicant to be deposited with the District Legal Services Authority, Nagpur. The application is disposed of accordingly.

JUDGE

JUDGE

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