

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

CIVIL APPLICATION NO. 13923 OF 2017
IN
WRIT PETITION NO. 10199 OF 2015

Shri. Arvind s/o Kashinath Gajeshwar ...Applicant

Versus

Shri. Satish @ Satishchandra Ramchandra Wani ...Respondents

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Mr. S. P. Brahme, Advocate for the applicant

Mr. R. R. Sancheti, Advocate for respondent no. 1 and 13

Mr. K. C. Sant, Advocate for respondent no. 2 in WP No. 10133/2015

Mr. A. N. Sabnis, Advocate for respondent nos. 9 to 11

.....

AND

WRIT PETITION NO. 10199 OF 2015

AND

CIVIL APPLICATION NO. 304 OF 2018

IN

WRIT PETITION NO. 10199 OF 2015

CIVIL APPLICATION NO. 10934 OF 2019

IN

WRIT PETITION NO. 10199 OF 2015

CORAM : BHARATI H. DANGRE, J.

DATE : JANUARY 17TH, 2022

PER COURT : -

1. By the present application, the writ petition which was dismissed in the wake of the conditional order being passed on 14.11.2015, is sought to be restored.

2. Heard the learned Counsel for the applicant and perused the application.

3. The justification offered is the mistake of the lawyer who did not remove the office objections within the period stipulated, resulted into passing of a conditional order. It is also prayed that there is delay of 01 year and 247 days in bringing the restoration application but the same is prayed to be unintentional.

4. On perusal of the application, I deem it appropriate to grant the same and to restore the Writ Petition No. 10199/2015 to its file. Necessarily, the Civil Application No. 13923 of 2017 is made absolute by restoring the writ petition to its file on condoning the delay which has occasioned in bringing the application for restoration.

5. Writ Petition No. 10199/2015 is restored to its file.

6. Writ Petition No. 10199/2015 is directed to be listed with Writ Petition No. 10133/2015. List both the writ petitions for further hearing on **28th January, 2022.**

CIVIL APPLICATION NOS. 304/2018 AND 10934/2019 : -

7. In the wake of the petition being restored, there are two other civil applications, who seek bringing of LRs of respondent nos. 12 and 13 on record.

8. For effective adjudication of the writ petitions, their presence is necessary and hence Civil Applications are made absolute in terms of its prayers by permitting the necessary amendment to be carried out within three days from today.

9. Issue notice to the legal heirs of respondent nos. 12 and 13, returnable on 28th January, 2022. Counsel for the applicants/petitioners shall take necessary steps to serve the respondents.

[BHARATI H. DANGRE]
JUDGE