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

INTERIM APPLICATION NO. 3257 OF 2020

**IN
WRIT PETITION NO. 11215 OF 2019**

Chandrakant Appasaheb Ghodake ...Applicant

Versus

Harshad Padmakar Mandake & Ors. ...Respondents

.....
Ms Kanchan Phatak i/b Mr. N. P. Deshpande for the Applicant.
Mr. P. P. Pujari, AGP for Respondent No.5.

.....

CORAM : N. R. BORKAR, J.

DATE : 19th JANUARY, 2022.

P.C. :

. This is an Application for restoration of Writ Petition No. 11215 of 2019.

2. This Court by order dated 05th February, 2020 had issued notice to Respondent No. 1 in writ petition & directed the Petitioner to supply spare copies within one week to enable the registry to issue notice, failing which this Court directed that the petition shall stand dismissed for non-prosecution.

3. The learned Counsel for the Applicant submits that due to inadvertent mistake of the clerk, who failed to furnish copy to the registry, the Petitioner should not suffer. It is submitted that order of

dismissal be therefore, recalled. Considering the facts and circumstances of the case, the following order is passed.

4. Application is allowed.

5. The Writ Petition No. 11215 of 2019 is restored to file. The learned Counsel for the Petitioner shall supply spare copies within one week from today. The registry, thereafter, shall issue notice to Respondent No. 1, returnable on 18th February, 2022.

(N. R. BORKAR, J.)