

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 20258 OF 2022****IN****WRIT PETITION NO. 8458 OF 2004**

Mahesh Pamaji Somshetty

...Applicant

V/s.

State of Maharashtra and Ors.

...Respondents

Mr. Milind R. Deshpande, for the Applicant.**Mr. S.D. Rayrikar**, for Respondent Nos. 1 to 3.**CORAM : SANDEEP V. MARNE, J.****Dated : 21 September 2023.****P.C. :**

1. This petition was dismissed for default by order dated 1 April 2021 on account of failure on the part of the learned counsel for the Petitioner to file a praceipe to communicate that the petition had not become infructuous. The learned counsel for the Petitioner would submit that the praceipe could not be filed within time and that the petition has actually not become infructuous. Accordingly the Writ Petition is restored to file. Interim Application is disposed of.

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SANDEEP V. MARNE, J.