

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 14063 OF 2023
IN
WRIT PETITION (ST) NO. 26623 OF 2019

The Basweshwar Mahila Udyogik
Utpadan Sahakari Sanstha Ltd.

... Applicant

V/s.

The State of Maharashtra & Ors.

... Respondents

Mr. Rushikesh Patil for Applicant.

Mr. M. M. Pabale, AGP for Respondent Nos.1 to 3 & 6.

Mr. Niranjana Shimpi for Respondent Nos.4 & 5.

**CORAM : DEVENDRA KUMAR UPADHYAYA, CJ. &
ARIF S. DOCTOR, J.**

DATE : 21ST AUGUST, 2023

P.C. :

1. The present Interim Application seeks recall of the order dated 6th October, 2022 passed by the Learned Registrar Judicial-I, by which, the captioned Civil Writ Petition came to be dismissed for failure of the Petitioner to remove office objections.

2. Learned counsel for the Applicant has invited our attention to the reasons set out in the Application for

condonation. We must note that the reasons set out for the condonation of delay are not wholly satisfactory and could have been more clearly explained. However, since there is no reply opposing the restoration and fair stand adopted by the opposing counsel for the Respondents, we find that it is in the interest of justice to grant the Applicant one opportunity to prosecute the Civil Writ Petition. The Writ Petition (St) No.26623 of 2019 is restored to file. Interim Application is allowed in terms of prayer clause (a) which reads as under;

"(a) this Honourable Court be pleased to condone the delay caused in filing present application and recall the order dated 06.10.2022 passed by Learned Registrar Judicial – I in Civil Writ Petition St No. 26623 of 2029 and restore the said Writ Petition on its original file and hear the same on merits;"

However, we make it clear that in the event the Petitioner does not remove office objections within a period of two weeks from the date of this order being uploaded, the Petition shall stand dismissed without further reference to the Court.

3. Interim Application is accordingly disposed of.

(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)