



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

97 CIVIL APPLICATION NO. 13717 OF 2024
IN WPST/16495/2023

DILIP AMRUTRAO GONDKAR AND ANOTHER
VERSUS
KAMAL DEVCHAND KATORE AND OTHERS

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Advocate for Applicants : Mr. Avinash N. Patil
h/f. Mr. S. S. Mr. Chapalgaonkar

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CORAM : R.M. JOSHI, J.

DATE : 16.12.2024

PER COURT :

1. This application is for restoration of Writ Petition Stamp No. 16495/2023 which is dismissed for non removal of office objections on 23.10.2023. The applicants seek condonation of delay of 279 days.

2. Learned counsel for the applicants submits that in the original petition no notice was issued to the respondents and as such no prejudice will be caused to them, if the petition is restored. On instructions, he makes statement that the petitioner is ready to pay cost of Rs. 2,000/- to the High Court Bar Association.

3. Perusal of the application does not show that there was any deliberate or inordinate delay in making application. It is in the

interest of parties that that the lis between them be decide on merit decided and not in technicalities. Hence, application is allowed subject to costs of Rs. 2,000/- payable to the High Court Bar Association. Cost of Rs. 2000/- be paid immediately.

4. The restoration would be subject to the condition on compliance of order on payment of costs.

5. Application stands disposed off.

(R.M. JOSHI, J.)

shp