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

INTERIM APPLICATION NO.250 OF 2024

IN

WRIT PETITION NO.6320 OF 1998

M/S Arthur Import Export
Company

.. Applicant/
Petitioner No.1

IN THE MATTER BETWEEN:

M/S Arthur Import Export
Company & Anr.

.. Petitioners

Versus

The State of Maharashtra & Ors.

.. Respondents

Mr.Rahul Kedar a/w Shraddha Jadhav i/b Aagam Doshi,
Advocates for the Applicant.

Mr.Prathamesh Sawant i/b Mandar Limaye, Advocates for
Respondent No.5.

Mr.A.I.Patel, Addl. G.P. a/w Ms.M.S.Bane, AGP for the
State/Respondent.

Mr.R.S. Datar, Advocate for Respondent No.7.

**CORAM : B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.**

DATE : JANUARY 23, 2024

P. C.

1. The above Interim Application is filed seeking a Condonation of Delay of 119 days in preferring the above Interim Application which seeks to set aside the order dated 16th June, 2023 passed by this Court dismissing the above Writ Petition for want of prosecution.

2. Having heard the learned counsel appearing for the Applicant/Petitioner, Respondent Nos. 1 to 4, Respondent No.5 and Respondent No.9 we are satisfied that the delay ought to be condoned.

3. In these circumstances, the Interim Application is allowed in terms of prayer clauses (a) to (d) which read thus:-

"(a) This Hon'ble Court may be pleased to condone the delay of 119 days in preferring the present interim application.

*(b) This Hon'ble Court be pleased to quash and/or set aside the Order dated 16th June 2023 (**Exhibit A hereto**) passed by this Hon'ble Court interalia dismissing the Writ Petition No.6320 of 1998.*

(c) This Hon'ble Court be pleased to restore the Writ Petition No.6320 of 1998 on the file of this Hon'ble Court.

(d) This Hon'ble Court may be pleased to restore all the other interim applications and/or civil applications as preferred by the Petitioners on the file of this Hon'ble Court."

4. Since, no interim orders granted in the above Writ Petition are placed before us, we have not granted prayer clause (e).

5. We make it clear that by restoring the Writ Petition we have not opined on the locus of the Petitioner to file the above Petition and that is something which would be decided in the Writ Petition.

6. The Interim Application is disposed of in the aforesaid terms. However, there shall be no order as to costs.

7. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[SOMASEKHAR SUNDARESAN,J.]

[B.P.COLABAWALLA, J.]