

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.18411 OF 2023

IN

WRIT PETITION NO.8341 OF 2016

Annappa Maruti Zalake

.. Applicant

IN THE MATTER BETWEEN:

Annappa Maruti Zalake

Petitioner

.. (Original Plaintiff)

Versus

Ramu Balappa Bogarnal

Respondent

.. (Original Defendant)

.....

- Mr. K. B. Redekar, Advocate for Applicant / Petitioner.
- Mr. Annappa Maruti Zalake Applicant / Petitioner present.

.....

CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 12, 2024

P.C.:

1. Heard Mr. Bedekar, learned Advocate for Applicant / Petitioner.

2. Interim Application seeks restoration of Writ Petition No.8341 of 2016 which came to be dismissed by order dated 11.12.2023.

3. I have perused the order dated 11.12.2023 which is at Exhibit-A, page No.6 of the Interim Application as also grounds enumerated in paragraph Nos.4, 5 and 6 of the Interim Application.

4. The grounds stated for non-prosecution are completely believable in view of the Annexures to the Interim Application. Hence,

the Interim Application stands allowed in terms of prayer clause (b)
which reads thus:-

“b) *This Hon’ble Court be pleased to set aside the order dated 11.12.2023 passed by this Hon’ble Court and the aforesaid Civil Writ Petition No. 8341 of 2016 be restored to its original file.”*

5. In view of allowing the above Interim Application, interim relief granted by order dated 18.07.2016 which is at Exhibit-C, page No.8 of the Interim Application shall stand revived / continued and restored. Copy of the Writ Petition be served on the Respondent by learned Advocate for the Applicant / Petitioner.

6. List the Writ Petition on **31st January, 2024.**

7. With the above directions, Interim Application is disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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