



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.10818 OF 2024.

IN

WRIT PETITION NO.2470 OF 2021.

Kanak Deepak Upadhyay

...Applicant-Petitioner.

Versus

State of Maharashtra

...Respondent.

Mr. Sagar Batavia i/b A. N. Giri for the Applicant-Petitioner.

*Ms. Ravleen Sabharwal a/w. Ms. Aarushi Yadav and Ms. Anushka Sharma
for the Respondent Nos.2 and 3.*

Ms. M. S. Bane, AGP for the Respondent-State.

Mr. S. C. Singh for the Respondent No.5.

Coram : Sharmila U. Deshmukh, J.

Date : 30th September , 2024.

P. C. :

1. Interim Application has been preferred for recall of the order dated 22nd July 2024 dismissing the petition for non prosecution.
2. Learned counsel appearing for the applicant submits that he was held up in some other Court when the matter was called out before this Court and could not appear and the petition came to be dismissed for non-prosecution. He submits that past records would indicate that the petition have been duly prosecuted by the present petitioners.

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3. Learned counsel for respondents does not seriously oppose the application.
4. For the reasons stated in the application, order dated 22nd July 2024 is recalled. Writ Petition is restored to file.
5. Let copies of the petition be served upon the unserved parties.
6. Stand over to **16th October 2024.**

[Sharmila U. Deshmukh, J.]