

Sumedh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 1012 OF 2024
IN
WRIT PETITION (L) NO. 538 OF 2017

Shaikh Zubair Abdul Jabbar	...Applicant
<i>In the matter between</i>	
Shaikh Zubair Abdul Jabbar	...Petitioner
<i>Versus</i>	
Mumbai Municipal Corporation & Anr	...Respondents

Mr Manoj Shirsat, *i/b Constitutional Jurists Chamber, for the
Petitioner/Applicant.*
Ms S Tondwalkar, *for the Respondent-BMC.*
Mr Subhash S Mandarkar, *Head Clerk, AO(S)- Present.*

**CORAM M.S. Sonak &
 Kamal Khata, JJ.**
DATED: 8th July 2024

PC:-

1. Learned counsel for the Brihanmumbai Municipal Corporation (“BMC”) states that after this Petition was dismissed in 2017, the BMC has already taken the possession of the said room on 11th April 2019.

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2. We proposed to take cognizance of the above statement in the main Petition after it is restored.
3. Considering the reasons set out in the civil application and on account of the intervening pandemic, we recall our order dismissing the Petition for non prosecution by condoning the delay in taking out this application. The Writ Petition (L) No. 538 of 2017 is restored without prejudice to the rights and contentions of the Respondents.
4. As requested by the learned counsel, two weeks time is granted to clear office objections. If office objections are not cleared in two weeks, the Petition to again stand dismissed for non prosecution without further reference to this Court.
5. Interim Application No. 1012 of 2024 is disposed of.
6. If the office objections are indeed clear within two weeks, place this Petition for hearing on 29th July 2024.

(Kamal Khata, J)

(M.S. Sonak, J)