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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 2161 OF 2024
IN
WRIT PETITION (L) NO. 27909 OF 2022

Shaikh Maqsud Suleman & Ors ...Applicants

In the matter between

Chetan Samajik Pratishthan & Anr ...Petitioners

Versus

The Municipal Corporation of Greater Bombay & ...Respondents
Ors

Mr Rohan Vasant Mamarde, *h/f Suchita Pawar, for the*
Applicants/Petitioners.

Mr Yahin Shah, *for the Applicant in IAL/16650/2023.*

Mr Yuvraj D Patil, *for Respondent No. 5.*

Mr Jagdish Aradwad (Reddy), *for Respondent No. 3-SRA.*

Ms SV Tondwalkar, *for the Respondent-BMC.*

CORAM. M.S. Sonak &
 Kamal Khata, JJ
DATED. 27th August 2024

PC:-

INTERIM APPLICATION NO. 2161 OF 2024

1. Heard learned counsel for the parties.

2. Considering the averments in the Application and the assurance of the learned counsel for the Applicant that objections would be cleared within two weeks from today, i.e., on or before 10 September 2024, we recall our order dismissing Writ Petition (L) No. 27909 of 2022 for non prosecution. We also condone the delay in filing this Application and restore the said Writ Petition to file. If the office objections are not cleared on or before 10 September 2024, this Petition to once again stands dismissed for non prosecution without further reference to this Court.

3. We clarify that though we are restoring this Petition, we are not restoring the interim relief granted earlier. Once interim relief is obtained by the Applicant, it becomes the duty of the Applicant to take diligent steps to see that the Petition is numbered and comes up for hearing at the earliest. On perusing the reasons in the Interim Application, though, a case is made out for restoration and condonation of delay, no case whatsoever is made out for restoring the interim relief. This is however not preclude the Applicant, applying for interim relief afresh after clearing the office objections.

4. Interim Application No. 2161 of 2024 is disposed of.

(Kamal Khata, J)

(M.S. Sonak, J)