

Wadhwa

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION (L) NO. 22422 OF 2024
IN
WRIT PETITION (L) NO. 4767 OF 2021
WITH
INTERIM APPLICATION (L) NO. 22472 OF 2024
IN
WRIT PETITION (L) NO. 4767 OF 2021

Bharat Ekta Cooperative Housing Society Ltd	...Applicant
<i>In the matter between</i>	
Bharat Ekta Cooperative Housing Society Ltd	...Petitioner
<i>Versus</i>	
The State of Maharashtra & Ors	...Respondents

Mr Rugwed R Kinkar, i/b Dheeraj Patil, for the Applicant/Petitioner.
Ms Manisha Gawade, AGP, for the Respondent-State.
Ms Sweta Shah, i/b Abhijit P Kulkarni, for Respondent No. 11-SRA.
Ms Kavita N Solunke, for the Respondent MMRDA.
Mr Uttam Yeshwant Sawant, Colony Officer, H/N, present.

CORAM M.S. Sonak &
Kamal Khata, JJ.
DATED: 9th August 2024

PC:-

1. Heard learned counsel for the parties.

2. Learned counsel states that the matter was listed in 2023 and thereafter not listed on the board. As a result, the notice about clearing objections was missed.

3. The learned counsel now states that the office objections will be positively cleared within two weeks without seeking any extension.

4. Considering the cause shown and the assurance now made, we condone the delay, recall the order dismissing the Petition for non-prosecution and restore the Petition to our file. There is a prayer to restore the interim relief which was granted in this Petition. The interim relief cannot be restored. This is because after obtaining interim relief, the Petitioner should have been diligent in pursuing the matter. The Petitioner will have however liberty to apply for interim relief afresh but the interim relief already granted is not being restored.

5. The office objections must now be cleared within two weeks. If this is not done, the Petition to once again stand dismissed for non-prosecution without further reference to this court.

6. Interim Application (L) No. **22422** of 2024 is disposed of.

7. List the matter on 23 August 2024.

(Kamal Khata, J)

(M.S. Sonak, J)

Note: This order is corrected as per speaking to the minutes of order dated 15th October, 2024. Correction shown in bold.