

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO.3380 OF 2024
IN
WRIT PETITION (L) NO.22366 OF 2023

Neeraj Gupta

... Applicant/Petitioner.

V/s.

The Municipal Corporation of Greater
Mumbai & Ors.

... Respondents.

Mr. Dhruva Gandhi, i/by Lex Services for the Applicant/Petitioner.
Smt. M.M. Dhuri, i/by Smt. Komal Panjabi for the Respondent-BMC.
Mr. Kiran Jain, a/w Mrs. Heenal Jain, Mr. Duj Jain and Ms. Krishma Shah,
i/by Kiran Jain & Co. for Respondent No.7.
Mr. Sharan Jagtiani, Senior Advocate, a/w Adv. N. Ting, Mr. Amrut Joshi
and Adv. Yazad Udwadia, i/by Adv. Rajan Yadav for Respondent Nos.8 and
9.
Mr. Ish Jain, a/w Mr. Aditya Pimple and Mr. Vinayak Siraskar for
Respondent No.10.

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.**

DATE : 25th November 2024.

PC:-

1) This is an application for restoration of Writ Petition (L)
No.22366 of 2023, which was dismissed for non-removal of office
objections within stipulated period in pursuance of Notice dated 8th March,
2024.

1.1) There is a delay of 202 days in preferring the present
application.

2) Mr. Jagtiani learned Senior Advocate appearing for Respondent

Nos.8 and 9 drew our attention to paragraphs 9 and 10 of the application and submitted that no plausible explanation has been offered by the Applicant for condonation of said delay and therefore delay may not be condone.

4) Though we were not inclined to accept the explanation offered by the Applicant in paragraphs 9 and 10 of the application, at the profuse request of learned counsel for the Applicant and on his statement that for condonation of said delay, the Applicant will pay a cost of Rs. 1 lakh to the Bombay Bar Association Trust within a period of two weeks from the date of uploading of present Order on the official website of High Court, Bombay. The account details are as under:

Name of Trust	:	Bombay Bar Association Trust
Bank and Branch	:	Bank of India (Mumbai Main Branch)
Bank Account Number	:	110110012175
Type of Account	:	Saving A/c
IFSC Code	:	BKID0000001

Subject to pursuant of said cost as noted above the delay is condoned and application is allowed in terms of prayer clauses (a) and (b).

5) Applicant is directed to remove office objections if not removed till date, within a period of three weeks from the date of payment of aforementioned costs, failing which the Petition shall stand dismissed without further reference to this Court.

- 6) If the cost is paid within stipulated period as noted above, list the Petition on 13th January, 2025 under the caption “For Admission”.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)