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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 9675/2017**

**DELHI STATE PUBLIC SCHOOL MANAGEMENT
ASSOCIATION (REGD.)**

.....Petitioner

Through: Mr. Kamal Gupta, Mr. Sparsh
Aggarwal, Ms. Yosha Dutt, Ms. Rashi
Agarwal, Mr. Aaditya Dhull, Advs.

versus

DIRECTORATE OF EDUCATION, GNCTDRespondent

Through: Mr. Anuj Aggarwal, Addl. Standing
Counsel with Mr. Siddhant Dutt, Mr.
Yash Upadhyay, Advs. for DOE.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

24.01.2025

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CM APPL. 4420/2025 (restoration)

The present application has been filed under Order 9 Rule 9 read with Section 151 CPC for the restoration of the writ petition, along with the pending application, to its original number and for setting aside the dismissal order dated 26.11.2024.

The petition was dismissed in default vide order dated 26.11.2024. Learned counsel submits that the non-appearance of the counsel for the petitioner was inadvertent and unintentional, as he failed to notice that the matter was listed for 26.11.2024 in the advance cause list and instead noted it in the regular list.

Issue notice.



Learned counsel for the respondent has accepted the notice and has fairly submitted that the matter may be restored.

In the circumstances, the application is allowed. The present writ petition along with pending applications are restored to its original number.

In view of the above, the present application stands disposed of.

CM APPL. 4421/2025 delay of 15 days in filing of the application for restoration)

This application seeks condonation of a 15-day delay caused by the counsel for the petitioner inadvertently noting the matter in the regular list and failing to notice its listing in the advance cause list for 26.11.2024, resulting in dismissal for want of prosecution. The petitioner learned of the dismissal on 07.01.2025, and the delay was further compounded by the time required to prepare the restoration application and obtain signatures and attestation of affidavits.

Learned counsel for the respondent has accepted the notice.

In view of the submissions made the application is allowed.

In view of the above, the present application stands disposed of.

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In view of the order of even date passed in CM APPL. 4420/2025, the matter is taken up today.

List on 04.04.2025.

DINESH KUMAR SHARMA, J

JANUARY 24, 2025/AR/NA