

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.7547 OF 2024
IN
WRIT PETITION (ST) NO.25538 OF 2019**

Guruprasad Bhimsi PawarApplicant

versus

The State of Maharashtra & Ors.Respondents

None for the Applicant.

Ms. Pooja Joshi Deshpande, Advocate for the Respondent Nos.1 to 3.

**CORAM : RAVINDRA V. GHUGE
&
ASHWIN D. BHOBE, JJ.**

DATE : 24th APRIL, 2025

P.C. :-

1. None present for the Applicant.
2. The Writ Petition was dismissed for default on account of non-removal of office objections. By an order dated 10th August, 2022, this Court had issued notice in the Writ Petition and had also granted ad-interim protection. Delay of 279 days is caused in filing restoration of Application.
3. The learned AGP appears on behalf of all the Respondents and contends that the negligence on the part of the learned Advocate

while conducting the Writ Petition as well as the present Interim Application, is writ large. Neither the objections were removed in the Writ Petition, nor is the Lawyer present in the Court when the matter is called out.

4. We have considered the strenuous submissions of the learned AGP and have perused the record. No doubt, there has been laxity in not removing office objections. So also, the delay in filing the application for restoration is 279 days. However, the delay does not appear to be either deliberate or inordinate.

5. Considering the law laid down by the Hon'ble Supreme Court in *Collector, Land Acquisition, Anantnag v/s Mst.Katiji*, AIR 1987 SC 1353 and *Esha Bhattacharjee v/s Managing Committee of Raghunathpur Nafar Academy*, (2013) 12 SCC 649, this Interim Application is allowed. The delay is condoned. The Petitioner shall remove all office objections, on or before 12th June, 2025, failing which, the order dated 14.06.2025, shall stand restored. If the aforesaid direction is complied with, the Petition shall be restored at the same stage at which it was dismissed.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)