

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

**INTERIM APPLICATION NO. 15872 OF 2024
IN
WRIT PETITION (L) NO. 3029 OF 2024**

Arun Jayram Kale ... Applicant
versus
State of Maharashtra & Ors. ... Respondents

Mr. Tejas Dande for the Applicant.

Mr. N. C. Walimbe, Addl. GP with Mr. V. G. Badgujar, AGP for
Respondent Nos. 1 and 3, State.

Ms. Chaitali Bhogle with Rochelle Fernandes i/b. Mr. Vishal Tambat
for Respondent No. 2.

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

DATE : 29TH JANUARY, 2025

P.C. :-

1. The Petition on a lodging number, was dismissed for
default. Delay of 74 days is caused in filing the Interim Application
for restoration.

2. The learned Addl. GP and the learned Advocate for
Respondent No. 2, oppose the Application.

3. We find that the delay of 74 days, is neither deliberate, nor inordinate. The Petition was dismissed at a pre-notice stage and in fact, a regular registration number was also yet to be given. In these circumstances and for the reasons assigned, **the Interim Application is allowed.** Delay of 74 days is condoned. The order dated 16th July, 2024 stands recalled.

4. All office objections shall be removed, on or before 14th February, 2025. Thereafter, the Petition will stand restored and would be registered, failing which, the order of dismissal would stand restored, on 15th February, 2025.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)