

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 2069 OF 2024
IN
WRIT PETITION NO. 2036 OF 2021**

Usha Martin Ltd

.. Applicant/Petitioner

Versus

State of Maharashtra & Ors

.. Respondents

***Mr. Akash Rebello**, with Mr. Shouvik Roy, Advocates for the
Petitioner/Applicant.*

***Ms. Gaurangi Patil, AGP**, for the Respondent Nos.1 to 3-State of
Maharashtra.*

ANJALI TUSHAR ASWALE
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**CORAM: B. P. COLABAWALLA &
FIRDOSH P. POONIWALLA, JJ.
DATE: FEBRUARY 10, 2025**

P. C.

1. The above Interim Application is filed seeking restoration of the above Writ Petition which was dismissed for want of prosecution on 11th June 2024. The above Interim Application is filed on 3rd July 2024.

2. We have gone through the Interim Application. We find that the Petitioner has been diligently prosecuting the above Writ Petition. It is only on one date that the Petitioner missed to notice the matter on the Board and the same was dismissed.

3. Considering the explanation given in the Interim Application, we are of the view that the Petitioner ought not to be non-suited for this inadvertent lapse. In these circumstances, the order dated 11th June 2024 dismissing the above Writ Petition is hereby set aside and the Writ Petition is restored to file.

4. The Interim Application is disposed of in the aforesaid terms. However, there shall be no order as to costs.

5. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[FIRDOSH P. POONIWALLA, J.]

[B. P. COLABAWALLA, J.]