



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

MISC. CIVIL APPLICATION NO.772 OF 2023
IN
WRIT PETITION NO.2472 OF 2008 (D)

(Chandrashekhar Pandurang Awade Vs. State of Maharashtra thr. its Secretary,
Ministry of Rural Development & Water Conservation Department, Mumbai and
others)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. A. P. Kinkar, Advocate h/f Mr. D. R. Khapre, Advocate for Petitioner.

CORAM: SMT. M. S. JAWALKAR AND RAJ D. WAKODE, JJ.
DATE: 17th SEPTEMBER, 2025.

1. The present application has been filed by the petitioner for restoration of Writ Petition No.2472/2008. The aforesaid writ petition was listed before this Court on 04.03.2022 wherein the aforesaid writ petition was dismissed for non-prosecution as none appeared for the petitioner.

2. The Counsel for the petitioner submits that in para 3 of the application, they have given the reasons for non appearance as the aforesaid matter could not be marked and hence the Counsel could not appear.

3. For the reasons stated in the application the aforesaid Misc. Civil Application No.772/2022 is allowed. However, it is pertinent to note that the aforesaid writ petition was dismissed for non-prosecution on 04.03.2022, the present Misc. Civil Application was filed on 15.03.2022,

and it is almost after the period of three and half years that the present Misc. Civil Application is listed before this Court and that too listed by the Registry and not circulated by the Counsel.

4. In view of the above, though the aforesaid Misc. Civil Application is allowed, the Writ Petition is restored in the interest of justice, as it appears from the record that the Counsel was not diligent in prosecuting the matter. The aforesaid Misc. Civil Application is allowed subject to payment of costs of Rs.3500/- be deposited in the office of The High Court Gazetted Officers Association, Nagpur Bench Nagpur.

Order is
corrected as per
Court's Order
dtd. 24.09.2025

5. Once the present writ petition is restored to the file of this Court, issue notice for final hearing to the respondents, returnable on 03.10.2025.

6. Mrs. S. S. Jachak, the learned Additional Government Pleader waives service of notice for respondent No.1/State.

(RAJ D. WAKODE, J.)

(SMT. M. S. JAWALKAR, J.)