



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

CIVIL APPLICATION (CAO) No.382 OF 2025
IN
MISC. CIVIL APPLICATION ST. No.4879 of 2025
IN
WRIT PETITION No.6110 OF 2013

(Executive Engineer (Work) Public Work Department, Zilla Parishad, Nagpur and another
Vs. Namdeo s/o. Chindhuji Khadatkar)

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

Court's or Judge's orders.

Mr. P.V. Bhoyar, Advocate for petitioners.

CORAM : PRAFULLA S. KHUBALKAR, J.
DATE : 11th AUGUST, 2025.

1. This is an application for condonation of delay in filing restoration application.
2. Counsel for applicants submits that the petition was listed for final hearing and the counsel for petitioners was not able to remain present at the relevant time on account of his personal difficulty and the petition got dismissed. It is stated that the counsel who was earlier handling the matter had expired and thereafter the matter was allotted to the present counsel and in the process of filing of restoration application there is delay of 98 days. It is stated that the delay is

unintentional and needs to be condoned so that the writ petition is restored and heard on merit.

3. Having regard to the contents of the application and submissions advanced, the application is allowed.

4. The delay of 98 days in filing restoration application is condoned.

5. The application is disposed of.

MISC. CIVIL APPLICATION ST. No.4879 of 2025.

1. This is an application for restoration of the writ petition.

2. Counsel for applicants submits that the writ petition was admitted and was listed for final hearing. However, the counsel who was attending the matter had failed to appear and writ petition got dismissed in default. Thereafter, the matter is entrusted to the new lawyer and the application is moved. The applicants submit that the petitioners desire to contest the petition on merit and, therefore, seeks restoration of the writ petition.

3. Having regard to the contents of the application and the submission advanced, the application is allowed.

4. The order dated 23.10.2024, by which the petition

was dismissed for want of prosecution, is recalled.

5. The writ petition is restored on its original number.
6. The application is disposed of.

(PRAFULLA S. KHUBALKAR, J.)

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