

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1070 OF 2026  
IN  
WRIT PETITION NO. 7882 OF 2013

M/s. Indo Energy International Ltd ...Applicant  
**Versus**  
The Konkan Divisional Commissioner, Konkan ...Respondents  
Bhavan And Ors

SNEHA  
NITIN  
CHAVAN

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Mr. Monel Thakkar for the Applicant  
Ms. V. R. Raje, AGP for Respondent/State.

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**CORAM : BHARATI DANGRE &  
MANJUSHA DESHPANDE, JJ.**

**DATE : 11<sup>th</sup> FEBRUARY, 2026**

**P.C. :**

1. Application seeks restoration of Writ Petition No. 7882/2013 which was dismissed by the Division Bench on 08.12.2022 as the Petitioner failed to mark appearance.

2. We have heard learned Counsel for the Applicant and perused the application.

It is settled position of law that the party shall not suffer on account of default committed by his/her Advocate. We have noted that application proceed to state that only on checking official website of the High Court, the Petitioner could realise that matter was dismissed for want of prosecution as the Advocate did not mark his appearance. He, therefore, approached a new Advocate and has filed the application for its restoration, by stating that from the date of his knowledge, the

application has been filed promptly and there is no intentional delay on part of the Applicant.

3. Considering, the bonafides of the Applicant, we deem it appropriate to restore the same, subject to payment of costs of Rs.25,000/- to the Kirtikar Law Library.

4. The Interim Application is disposed of.

**(MANJUSHA DESHPANDE, J.)**

**(BHARATI DANGRE, J.)**