

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1487 OF 2026
IN
WRIT PETITION NO. 3612 OF 2008

Jayesh S/o. Uttamrao Thakur

... Applicant

Versus

The State of Maharashtra & Ors.

... Respondents

Mr. Chintamani K. Bhangoji a/w. Mr. Vishwajit S. Sharma for the Applicant.
Smt. P. J. Gavhane, AGP for the Respondent-State.

CORAM : M. S. KARNIK AND
S. M. MODAK, JJ.

DATED : 25th FEBRUARY, 2026.

P.C. :

1. Heard learned counsel.
2. This is an application for restoration of Civil Application No. 2518 of 2015 which was dismissed for non-removal of office objections within the stipulated period pursuant to the Order dated 5th December, 2018 passed by the Registrar (Judicial-I). There is delay of 6 years and 120 days in filing the application for restoration of Civil Application No. 2518 of 2015 and hence request for condonation of delay is made.
3. Learned AGP opposed the application for restoration on the ground that the application is filed belatedly.
4. Learned counsel for the applicant submitted that the Advocate for

the applicant, who was from Aurangabad, could not notice the dismissal of the aforesaid writ petition and, therefore, when he came to know about the same, he filed Civil Application No. 2518 of 2015 for restoration of the Writ Petition No. 2518 of 2015. It is submitted that the Advocate for the applicant, who is from Aurangabad, did not notice the listing of the matter before the Registrar (Judicial-I) and, therefore, the Civil Application also came to be dismissed in view of conditional order dated 5th December, 2018. In paragraph No.6 of the application, the applicant has stated as under: -

“6. The applicant states that he was under impression that the Writ Petition No. 3612 of 2008 is pending before this Hon’ble Court but when he enquired about the status of the said Writ Petition to his earlier Advocate, his Advocate checked online status of the said matter, when he came to know that the Civil Application No. 2518 of 2015 is also dismissed for non removal of office objections and therefore, the said Advocate advised the applicant to appoint any Advocate from Mumbai to look after matter further.”

5. In addition, learned counsel for the Applicant submitted that the petitioner is a student, who is pursuing Engineering Course. It is submitted that due to invalidation of the caste-claim, the petitioner’s original documents are withheld by the college. It is further submitted that grave prejudice would be caused to the petitioner and that he would ultimately suffer if the writ petition is not restored, since the question of original

documents lying with the college is involved. For the reasons stated in the application and in view of oral submissions made, we are inclined to condone the delay in filing the application. Consequently, the order dated 5th December, 2018 passed by the Registrar (Judicial-I) in Civil Application No. 2518 of 2015 is set aside. Civil Application No. 2518 of 2015 is restored to file.

6. Interim Application is disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)