

Kavita S.J.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**INTERIM APPLICATION NO.6885 OF 2025
IN
WRIT PETITION (St.) NO.23516 OF 2023**

Vishwas Sakharam Pawar

**...Applicant/
Org. Petitioner**

Versus

**Municipal Corporation of Greater Mumbai &
Ors.,**

...Respondents

Mr. Kayval P. Shah for Applicant/Original Petitioner.

Ms. Rupali Adhate i/b Ms. Komal Punjabi for Respondent No.1- BMC.

Ms. Madhura Deshmukh, AGP for Respondent No.2 – State.

Mr. Vijay Kodalkar, Administrative Officer (City Engineer Department) present.

**CORAM : R.I. CHAGLA AND
M.M. SATHAYE, JJ.**

DATED : 16th APRIL, 2026.

ORDER :

1. By this Interim Application, the Applicant/Original Petitioner has sought for condonation of delay of 212 days for filing the present Interim Application and seeking recall of the Order / Notice dated 8th March, 2024 (Exhibit-A to the Interim Application)

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issued by the Division Bench of this Court and to restore the Writ Petition on file by allowing removal of office objections.

2. The Applicant has stated that the delay caused for filing of the Interim Application is unintentional and due to lack of knowledge and oversight about the disposal of the captioned Writ Petition by Order / Notice dated 8th March, 2024.

3. The Applicant has stated that he was under the impression that the Writ Petition would be listed on board as per its turn and was waiting for the listing of the matter on board. However, since the matter was not being listed, the Applicant approached his Advocate in the second week of November, 2024 to get the status of the matter. This is when the Advocate on record upon checking of the status came to know that the Petition had been shown to be disposed of on the Website by the Order/Common Notice dated 8th March, 2024. Accordingly, the Applicant has filed the present Interim Application.

4. The Notice which had been issued on 8th March 2024, is a Common Notice which directed that all the Petitions within the roster of this Bench which are on lodging number must have

objections removed and Petitions finally numbered no later than by 30 March 2024 and failing which all these Petitions would stand rejected and ad-interim/interim orders, if any, will stand automatically vacated without further reference to the Court. The captioned Writ Petition was one of those Petitions which was still on lodging number and objections were to be removed.

5. The captioned Writ Petition had thereafter not been listed before the Registrar (Judicial I) and / or Prothonotary and Senior Master of this Court and had been rejected based on the Common Notice.

6. The Applicant being a lay person would be dependent on his Advocate on record and / or Advocate's Clerk for removal of office objections. The Applicant should not be made to suffer on the ground of default on the part of his Advocate on record.

7. We accordingly condone the delay in filing of the present Interim Application.

8. The Common Notice dated 8th March, 2024 insofar as it pertains to the captioned Writ Petition is recalled and the captioned

Writ Petition is restored to file and the Applicant is permitted to remove the office objections, within a period of three weeks from the date of this order.

9. Failure to remove office objections by the Petitioner, shall result in the rejection of the Petition without further reference to this Court.

10. The Interim Application is accordingly disposed of. There shall be no orders as to costs.

[M.M. SATHAYE, J.]

[R.I. CHAGLA, J.]