

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

INTERIM APPLICATION NO. 3913 OF 2025  
IN  
WRIT PETITION (L) NO. 12056 OF 2022

Shivram G. Shetty and Ors. ... Applicants/ Petitioners

**In the matter Between:**

Shivram G. Shetty and Ors. ... Petitioners

*Versus*

The Municipal Corporation of Greater  
Mumbai and 2 Ors. ... Respondents

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Mr. Jamshed Ansari, for the Petitioner.

Dr. Dhruti Kapadia along with Ms. Pushpa Yadav, for the Respondent  
Nos.1 and 2-B.M.C.

Dr. Dhruti Kapadia, for Respondent No.3-S.R.A.  
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CORAM : SARANG V. KOTWAL &  
SANDESH D. PATIL, JJ.

DATE : 12<sup>th</sup> JANUARY, 2026.

**P.C. :**

1. This is an application for restoration of Writ Petition (L) No. 12056 of 2022. There is a delay of 438 days in filing this application for restoration of the said Writ Petition.

2. Learned Counsel for the Applicants/ Petitioners submitted that there is only one office objection regarding Exhibit 'F' which was not translated into English. This office objection was raised by the Department on 28/04/2022. The learned Counsel for the Applicants submitted that they were not aware that the Petition itself was dismissed for non-removal of office objection and came to know only after he had addressed a letter to the Prothonotary and Senior Master to direct the Registry to give final number to the Writ Petition. Therefore, there was delay in filing the present application for restoration of the Writ Petition. He submitted that there was no lack of *bona fides* in filing this application.

3. The learned Counsel for the Respondent Nos.1 to 3 opposes the grant of relief in this application.

4. In the interest of justice, we are inclined to allow the present application.

5. The delay of 438 days in filing the restoration application is condoned. The Writ Petition (L) No. 12056 of 2022 is restored to its file.

6. Learned Counsel for the Petitioner submitted that though before dismissal, there was an *ad-interim* order operating in his favour, the structure in question is already demolished therefore, no question of reviving that *ad-interim* order arises.

7. Accordingly, Interim Application No.3913 of 2025 is disposed of.

8. The Writ Petition (L) No. 12056 of 2022 is restored to its file. Parties are at liberty to get the said Writ Petition circulated.

(SANDESH D. PATIL, J.)

(SARANG V. KOTWAL, J.)