



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAO) NO. 274 OF 2025
IN
MISC. CIVIL APPLICATION STAMP NO. 4091 OF 2025
IN
WRIT PETITION NO. 2214 OF 2018 (D)

M/s Tayarai Minerals, Mohada through its Proprietor Ramesh Mahadeorao Rajurkar
Versus
The State of Maharashtra through Secondary Department of Industry, Energy and
Labour, Mumbai and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.B.Moon, Advocate for the petitioner.

Shri S.S.Hulke, AGP for the respondent nos. 1 to 4/State.

CORAM : ANIL L. PANSARE &
NIVEDITA P. MEHTA, JJ.

DATED : 27th JANUARY, 2026.

1. The applicant/petitioner has filed the present application seeking condonation of delay of 58 days in filing the restoration application. It is submitted that the delay is neither deliberate nor intentional, but has occurred due to circumstances beyond the control of the applicant/petitioner. It is further submitted that if the delay is condoned, no prejudice would be caused to the other side.

2. Per contra, learned Assistant Government Pleader submits that the applicant/petitioner has failed to demonstrate sufficient cause for the delay in preferring the restoration application.

3. From the record, it reveals that the writ petition bearing No. 2214 of 2018 came to be dismissed for default, as none appeared on behalf of the petitioner when the matter was called out. It further appears that even on the earlier occasion, learned counsel for the

petitioner had remained absent, which resulted in dismissal of the writ petition.

4. Having considered the aforesaid facts and circumstances, this Court is of the view that if the delay is not condoned, the petitioner would be deprived of an opportunity of hearing on merits. In the interest of justice, the delay of 58 days deserves to be condoned, subject to the petitioner depositing a sum of **Rs. 5,000/-** in the **Public Welfare Account**.

5. Accordingly, the civil application for condonation of delay stands allowed and disposed of.

(Misc. Civil Application (Stamp) No. 4091 of 2025 – Restoration)

1. Upon registration of the restoration application, issue notice to the respondents.

2. Shri Hulke, learned Assistant Government Pleader, waives service of notice on behalf of respondent Nos. 1 to 4.

3. For the reasons stated in the application and in view of the order passed in the delay condonation application, the writ petition is restored to its original file.

4. The civil application is allowed and disposed of accordingly.

5. List the writ petition before the **Admission Board in the week commencing from 16.02.2026**.

[JUDGE]

[JUDGE]