



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

MISC. CIVIL APPLICATION NO. 280 OF 2026

IN

WRIT PETITION NO. 5509 OF 2023

MRS. YUTI W/o ABHIJEET VAIDYA AND OTHERS

VERSUS

UDAYBHASKAR LAXMANRAO THOTA

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

Court's or Judge's Order

Mr. P. P. Kothari, Advocate for the applicants.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : APRIL 30, 2026.

1. Heard the learned counsel for the applicants.
2. This is an application for restoration of the writ petition which was dismissed for want of prosecution by order dated 24.03.2026.
3. The learned counsel for the applicants submits that the petition was called out on 24.03.2026 on which day the counsel for the petitioner was not able to attend the petition at the relevant time and the petition got dismissed for default. However, an application for restoration was immediately filed on 30.03.2026 and now the petitioner seeks restoration of the petition.
4. Considering the reasons mentioned in the application and the submissions advanced, the application is allowed, subject to payment of cost of Rs.3,000/- (Rupees Three thousand only) to the High Court Bar Library, Nagpur within two weeks from today.

5. The order dated 24.03.2026 passed in Writ Petition No. 5509/2023 is recalled. The petition is restored to its original number.
6. The Misc. Civil Application stands disposed of accordingly.

(Prafulla S. Khubalkar, J.)

Diwale