

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

INTERIM APPLICATION (L) NO. 707 OF 2026
IN
WRIT PETITION NO. 1273 OF 2024

Raphael Anthony Godinho

... Applicant

Versus

The Presiding Officer and Deputy Collector (General
Administration)

... Respondents

Mr. Shrey Fatherpekar a/w. Ms. Uttara More, Ms. Ashiwini Pawar-Padalkar,
Ms. Shravani Bhogate i/b Padalkar and Partners for the Applicant.
Mr. Prashant Kamble, AGP for the Respondent-State.

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

DATED : **23rd JANUARY, 2026.**

P.C. :

1. Heard learned counsel for the Applicant.
2. Our attention is invited to the Order dated 12th December, 2025 passed by this Court. On a query, as to whether Respondent No.1 has executed the impugned Order, learned counsel for the Applicant submitted that the Petitioner has already vacated the suit premises. It is further submitted that Respondent No.2 i.e. his mother is now residing in the suit premises. Learned counsel for the Applicant on instructions submitted that there will be no interference on the part of the Petitioner with the peaceful possession of Respondent No.2.

3. This is an Application for restoration of Writ Petition No. 1273 of 2024 which was dismissed by an Order dated 12th December, 2025. In view of oral submission and for the reasons mentioned in the Application, we are satisfied that a case is made out for restoration of the Writ Petition.
4. Accordingly, the Order dated 12th December, 2025 passed by this Court is recalled and Writ Petition No. 1273 of 2024 is restored to file.
5. Interim Application is disposed of.
6. List the Writ Petition No. 1273 of 2024 for admission on 16th February, 2026.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)