



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

APPLICATION NO.532/2024 (For Delay) IN MISC. C. A. REST. NO.6364/2024
(REST.) IN WRIT PETITION NO.6666/2019 (D)

Ramesh Dhondbaji Nagdeve and anr. .Vs. Saroj Anilkumar Mate and Ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. P. Gode, Advocate for petitioners.

CORAM : **ANIL L. PANSARE, J.**

DATE : **FEBRUARY 12, 2025**

Petitioner has filed application to condone delay in filing application for restoration of Writ Petition No.6666/2019. Order dismissing the petition was passed on 13.12.2023, which reads thus:

“The pursis stamp No.3 of 2023 indicates that the notice dated 11/01/2021, issued by the learned counsel for the petitioner, indicating that in case the petitioners do not contact him upon receipt of the notice, he would not be responsible for the conduct of the matter, has been received by the petitioners on 13/01/2021, which is indicated from the acknowledgment placed on record by pursis stamp No.4 of 2023, in spite of which, no one is engaged to represent the petitioners. This indicates that the petitioners are not inclined to prosecute the petition, the same is therefore, dismissed for want of prosecution.”

2. As could be seen, since January, 2021, the petitioners have taken no steps to pursue the petition. They have now engaged another advocate to pursue the cause. Considering the conduct of the petitioners, let the petitioners-applicants deposit costs of Rs.5,000/- with High Court Bar Association, Nagpur within seven working days from today and upon depositing the costs, the application will be taken up for hearing. If the costs is not deposited within seven working days, the application shall stand dismissed without further reference to the Court. If the costs is paid, list in the week commencing from 10.03.2025.

(Anil L. Pansare, J.)