

MCC No.649 of 2019
Delay Condonation Application (CLMA) No.9416 of 2019
Misc. Application (IA) No.9417 of 2021
In
WPMS No.695 of 2015

Hon'ble Ravindra Maithani, J.

Mr. Alok Kumar, Advocate holding brief of Mr. Sandeep Kothari, Advocate for the petitioner.

Mr. Mukesh Singh Rawat, Advocate for the respondents.

Instant petition was dismissed for non-prosecution on 11.03.2019. Now, Restoration Application (MCC) No.649 of 2019 has been filed by the petitioner along with Delay Condonation Application (CLMA) No.9416 of 2019. The petitioner is Nagar Nigam, Haridwar. The ground of delay in restoration is that the counsel dealing in the case did not appear on the date fixed, which resulted in the dismissal. The petitioner subsequently, learnt about it based on the online inquiry. Hence, delay.

The petition has been dismissed not only in the absence of the petitioner, but absence of the respondent as well.

The grounds as mentioned in the delay condonation application and the restoration application are sufficient to condone the delay and to restore the writ petition.

Delay condonation application as well as the restoration application are allowed.

The writ petition is restored to its number.

Order dated 11.03.2021 is recalled.

The writ petition is admitted again.

Counter affidavit filed on behalf of respondent nos.1 and 2 is taken on record. Misc. Application (IA) No.9417 of 2021 stands disposed of accordingly.

List after two weeks for hearing.

(Ravindra Maithani, J.)

16.08.2021

Sanjay