

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.10281 OF 2014 IN
LETTERS PATENT APPEAL NO.26 OF 2012 IN
WRIT PETITION NO.969 OF 2011

Kondabai w/o Maroti Gandle

Applicant

Versus

The State of Maharashtra & others

Respondents

Mr.R.J.Godbole, advocate for the applicant.

Mrs.A.V.Gondhalekar, A.G.P. for Respondents No.1 & 4.

Mrs.Supriya L. Pansambal, advocate holding for Mr.V.D.Gunale, advocate for Respondent No.2.

**CORAM : R.M.BORDE &
P.R.BORA, JJ.**

DATE : 06th February, 2015

PER COURT:

This is an application seeking restoration of appeal dismissed for want of prosecution on 06.02.2014.

Heard. For the reasons stated in the application, application deserves to be allowed and same is accordingly allowed. The order of dismissal passed by this Court on 06.02.2014 is recalled and the Letters Patent Appeal is restored to its original number.

Civil Application disposed of.

**P.R.BORA
JUDGE**

adb/ca1028114

**R.M.BORDE
JUDGE**

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Perused the order dated 05.01.2012 passed by learned Single Judge in Writ Petition No.969 of 2011.

The order under challenge, before the learned Single Judge, was passed by the School Tribunal refusing to condone delay of 1074 days occurred in presenting the appeal. The appellant has, admittedly, been terminated by an order dated 20.03.2006 and said order was challenged by her by presenting appeal after 1074 days. The learned Single Judge has recorded cogent reasons for refusing to cause interference in the order passed by the School Tribunal.

We do not find any perversity or irregularity to cause interference in the impugned order. The appeal is devoid of substance.

Letters Patent Appeal stands dismissed.

**P.R.BORA
JUDGE**

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**R.M.BORDE
JUDGE**