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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 9318 OF 2014
IN WP/1383/1997

NAVNATH KRISHNAJI BORADE
VERSUS
MEMBER INDUSTRIAL COURT, SOLAPUR AND OTHERS

...
Advocate for Applicant : Smt.Kulkarni M.A.
AGP for Respondent Nos.1 to 3 : Shri D.R.Korde.
...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 18th December, 2015

Per Court:

1 The Applicant by this application prays for recalling the order dated 16.07.2009 by which Writ Petition No.1383/1997 was dismissed in default. The reasons are set out in the application. The Writ Petition was admitted on 22.03.1999.

2 The learned AGP opposes the Civil Application on the ground that the reasons assigned are not satisfactory and acceptable. In the alternative, it is prayed that heavy costs be imposed and if the costs are awarded, the same would be donated to the Advocate Association's Bar Library, High Court, Aurangabad.

3 For the reasons stated in the application and by considering the fact that the Applicant was in employment from September, 1983 and eventually superannuated and the petition was also admitted on 22.03.1999, this Civil Application is allowed. Delay caused in filing this application is condoned subject to the Applicant depositing costs of Rs.2000/- (Rupees Two Thousand) with the Advocate Association's Bar Library, High Court, Aurangabad on or before 15.01.2016.

4 After the costs are deposited and a receipt is placed on record, Writ Petition No.1383/1997 shall stand restored to the file at it's original stage, by recalling the order dated 16.07.2009.

5 It is made clear that if the costs are not deposited as directed, this order shall stand recalled, the Civil Application shall stand rejected and then the order dated 16.07.2009 shall stand restored.

(RAVINDRA V. GHUGE, J.)