

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.5096 OF 2015 IN
WRIT PETITION NO.6859 OF 2012

Namdeo s/o Kadappa Suryawanshi

Applicant

Versus

The State of Maharashtra & others

Respondents

Mr.Amit Mukhedkar, advocate holding for Mr.L.C.Patil, advocate for the applicant.

Mrs.M.A.Deshpande, A.G.P. for Respondents.

CORAM : R.M.BORDE &

P.R.BORA, JJ.

DATE : 12th June, 2015

PER COURT:

This is an application for bringing on record legal representatives of deceased petitioner.

Heard. For the reasons recorded in the application, application deserves to be allowed and same is accordingly allowed. Legal representatives of deceased applicant are permitted to be brought on record.

Civil Application is disposed of.

**P.R.BORA
JUDGE**

adb/ca509615

**R.M.BORDE
JUDGE**

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.5098 OF 2015 IN
WRIT PETITION NO.6859 OF 2012

Namdeo s/o Kadappa Suryawanshi

Applicant

Versus

The State of Maharashtra & others

Respondents

Mr.Amit Mukhedkar, advocate holding for Mr.L.C.Patil, advocate for the applicant.

Mrs.M.A.Deshpande, A.G.P. for Respondents.

CORAM : R.M.BORDE &

P.R.BORA, JJ.

DATE : 12th June, 2015

PER COURT:

This is an application for restoration of the writ petition dismissed for want of prosecution and for condonation of delay occurred in presenting the application.

On earlier occasion, while entertaining Civil Application No.10035 of 2012, a direction was issued in respect of restoration of the writ petition subject to condition of removal of office objections. The applicant failed to remove office objections within the time stipulated and it is now being contended that the file was not traceable in the office. We do not accept the excuse put forth by the applicant. However, in order to meet the ends of justice, we grant the applicant further opportunity.

Civil Application is allowed. Delay occurred in preferring the instant application is condoned. The order passed by the Registrar dated 23.07.2012, refusing registration of the writ

petition is quashed and set aside subject to applicant's removing office objections within a period of three weeks from today and further subject to payment of cost of Rs.5000/- to be deposited within aforesaid period. In the event of failure to comply with the conditions, order passed in the instant Civil Application shall be deemed to have been recalled.

Civil Application is disposed of.

P.R.BORA
JUDGE

adb/ca509615

R.M.BORDE
JUDGE