

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 13801 OF 2015
IN WP/5848/2015
and CIVIL APPLICATION NO. 13073 OF 2015
IN WP/5848/2015
WITH
WRIT PETITION NO. 5848 OF 2015

BANSHI NARAYAN UBALE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Applicants : Mr. Prashant P. Dama.
AGP for Respondent Nos.1 & 2 : Mr. C. V. Dharurkar.

CORAM : S.S. SHINDE & A.M. BADAR,JJ.
DATE : 20th October,2015.

PER COURT:

1] Heard. Counsel for respondent No.4 submits that he has already informed the advocate for the petitioner orally that he is moving this matter for recalling the order dated 7th October, 2015 today. Heard counsel for respondent Nos.3 and 4 (applicants in civil applications). Perused the explanation offered in the civil applications for cancellation of warrant. On perusal of the averments in the affidavit in reply, it appears that due to similarity of name of the petitioner in W.P. No.5848 of 2015 and W.P. No. 6656 of 2014, wherein, the first name of the petitioner is same, it created confusion and, therefore, no timely steps were taken by respondent No.4 to attend the matter.

2] In that view of the matter, order dated 7th October, 2015 is

recalled to the extent of issuingailable warrant against respondent Nos. 3 and 4. Civil applications are accordingly disposed of.

3] Counsel for respondent No.3 and 4 states that affidavit is ready and he will file the same in the registry of this Court on or before 29th October, 2015, after serving copy on the counsel for petitioner.

3] List the Writ Petition on 28th November,2015.

[A.M. BADAR, J]

[S.S. SHINDE,J]

grt/-