

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.

CIVIL APPLICATION (CAO) NO.112 OF 2015
AND
MISC. CIVIL APPLICATION STAMP NO.25170 OF 2014
IN
WRIT PETITION NO.836 OF 2004(D)

(Smt. Vidya wd/o Vijay Futane and others ..vs.. State of Maharashtra, through its Secretary and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A. HAQ, J.
DATED : 08-04-2015

Heard Shri P.R. Agrawal, the learned Advocate holding for Shri R.V. Shiralkar, Advocate for the petitioners, Shri D.B. Patel, the learned Assistant Government Pleader for the respondent Nos.1 to 4 and Shri A.A. Bade, the learned Advocate for the respondent Nos.5, 7 to 12. None appears for the respondent No.13 though Shri A.C. Dharmadhikari, Advocate, waived notice on his behalf on 20-01-2015.

The petitioners were not represented on 27-06-2014, 11-07-2014, 25-07-2014 and 28-07-2014 and therefore, the petition came to be dismissed for want of prosecution on 21-08-2014. However, considering the reasons given in the application and to enable the petitioners to put forth their case, the writ petition is restored.

The civil application and the miscellaneous civil application are allowed. The petitioners shall pay the costs of Rs.2,000/- to the learned Advocate for the respondent Nos.5, 7 to 12 and produce the receipt of it on the record till 30-04-2015. If the amount of costs is not paid, this order shall stand recalled and the petition shall stand dismissed without reference to the Court. If the amount of costs is paid, list the petition for final hearing on 05-05-2015.

Writ Petition No.836 of 2004.

Issue notice to the respondent No.6, returnable on 05-05-2015.

In addition to regular mode of service, the petitioners shall serve the respondent No.6 by Speed Post Acknowledgment Due by supplying the postage till 10-04-2015.

Shri D.B. Patel, the learned Assistant Government Pleader, waives service of notices for the respondent Nos.1 to 4.

Shri A.A. Bade, the learned Advocate, waives service of notices for the respondent Nos.5, 7 to 12.

Shri A.C. Dharmadhikari, Advocate has already waived notice for the respondent No.13.

JUDGE