

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

**District : Aurangabad**

CIVIL APPLICATION NO. 5526 OF 2015  
IN WP/5633/2011

TUKARAM GOVIND DAKLE  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

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*Mr. Kalyan E. Shinde, Advocate, for the applicant.*

*Mrs. M.A. Deshpande, Asst. Government Pleader, for  
non-applicant nos.1 and 2.*

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**CORAM : S.V. GANGAPURWALA &  
A.M. BADAR, JJ.**

**DATE : 26TH FEBRUARY 2016**

**PER COURT :**

1. Heard Mr. Shinde, the learned Counsel for the applicant, and Mrs. Deshpande, the learned Asst. Government Pleader for non-applicant nos.1 and 2.
2. It appears that respondent no.3 was served in the Writ Petition. However, none had appeared for respondent no.3 when the matter was dismissed for default.
3. For the reasons stated in the Application, the Application is allowed in terms of prayer clauses “B” and “C”. Writ Petition No. 5633 of

2011 is restored to its original position. The petitioner shall serve copy of the Writ Petition upon the Standing Counsel for respondent no.3.

4. Place Writ Petition No. 5633 of 2011 for admission on 9th March 2016.

5. The Civil Application accordingly stands disposed of.

**( A.M. BADAR )**  
**JUDGE**

**( S.V. GANGAPURWALA )**  
**JUDGE**

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