

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 4240 OF 2016
IN WP/9165/2013 WITH CA/7492/2015 IN WP/9165/2013

BHILA RAGHUNATH JADHAV (VANJARI) DECEASED AND OTHERS
VERSUS
HARJI CHAINSINGH VANJARI (JADHAV) DECEASED AND OTHERS

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Advocate for Applicants : Shri Kulkarni Sanket S.
Advocate for Respondents : Shri Sangit L.V.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: April 04, 2016
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PER COURT :-

1. The applicants pray for condonation of delay of 74 days and for the restoration of the Writ Petition, which has been dismissed for non-removal of office objections.
2. Reasons leading to the dismissal of the petition are set out in the application.
3. Shri Sangit, learned Advocate strenuously opposes this application and submits that the reasons cited are not acceptable and are not convincing. He prays for the rejection of this application with costs. He further submits that the costs be donated to the Advocates Association's Bar Library, High Court, Bench at Aurangabad.
4. Shri Sangit submits that in the event this application is allowed, the ad-interim relief granted in terms of prayer clause (c) should not be continued as he has consistently succeeded before the authorities and the petitioner is encroaching upon the right of the respondents due to the ad-interim relief.
5. Considering the above and the reasons stated, this application is allowed. Delay of 74 days is condoned by imposing costs of Rs.1,000/-

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(Rs. One thousand only/-) which the applicants shall deposit with Advocates Association's Bar Library, High Court, Bench at Aurangabad within three weeks from today. The order of dismissing the petition dated 8.12.2015 is recalled and the petitioner shall remove all office objections within three weeks. The ad-interim protection granted in terms of prayer clause (c) shall stand restored by placing this petition for admission on 27.4.2016.

6. Needless to state that in the event, any of the above directions are not complied with, this order shall stand recalled and the order dated 8.12.2015 shall stand restored.

(RAVINDRA V. GHUGE, J.)

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