

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

**CIVIL APPLICATION NO. 11257 OF 2016
IN
CONTEMPT PETITION NO. 267 OF 2016
IN
WRIT PETITION NO. 3501 OF 2012**

Gangaram Raosaheb Sunar ...APPLICANT

versus

The State of Maharashtra & ors, ...RESPONDENTS

.....
Mr. Ganesh Patil & Ashwini Patil, Advocate for applicant
Mr. S.B. Pulkundwar, AGP for respondent - State
.....

**CORAM : R.M. BORDE AND
K.K. SONAWANE, JJ.**

DATED : 16th SEPTEMBER, 2016.

Order :-

1. Heard.
2. This is an application for setting aside the order dated 24-06-2016 passed by the Division Bench of this Court in writ petition on the ground of failure to take appropriate steps to serve unserved respondent.
3. For the reasons stated in the application, the same is allowed in terms of prayer clause "B". The order dated 24-06-2016 passed by the Division Bench of this Court is recalled subject to condition applicant-petitioner deposits amount of Rs. 5000/- (Rupees Five Thousand), towards costs with Advocate's Association of the High Court, Bench at Aurangabad within a period of four weeks from today. Writ petition is

restored to its original position. The delay occurred in presenting the application stands condoned.

4. The applicant/ petitioner shall take appropriate steps to serve unserved respondent within four weeks from today. In the event of failure to take appropriate steps within time stipulated, the order passed in the instant civil application shall be deemed to have been recalled.

5. Civil application is accordingly disposed of.

Sd/-

[K. K. SONAWANE, J.]

Sd/-

[R.M. BORDE, J.]

MTK