

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.12200 OF 2016
(MAHESH BHIMRAO KHANDALKAR VS. THE SECRETARY AND
OTHERS)

IN
WRIT PETITION NO.7776 OF 2005

Mr.M.P.Tripathi, Advocate for the applicant.
Mr.P.N.Kutti, AGP for the respondent/State.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 01/09/2016

PER COURT :

1. By this application, the applicant prays for condonation of delay of 6 years and 123 days caused in filing this civil application for seeking recalling of the order of the learned Registrar dated 23/04/2007 and for restoring the writ petition with regard to non applicant Nos.3 to 6.

2. Rule was issued in WP No.7776/2005 on 12/03/2007. Learned Advocates for respondent Nos. 3 to 6 were present in the Court. Notice on Rule was inadvertently not waived. The petition was therefore dismissed by the order of the learned Registrar as against these respondents.

3. Learned Advocates for respondent Nos. 3 to 6 are present today and strenuously oppose this application.

4. Considering the peculiar facts as above, this civil application is allowed by imposing costs of Rs.1,000/- (Rs.One thousand only) and the delay stands condoned. Costs shall be deposited with the Advocate's Association of the Bombay High Court, Bench at Aurangabad.. Writ petition No.7776/2005 is restored in relation to respondent Nos. 3 to 6. Learned Advocates waive service on Rule. All the writ petitions are listed for final hearing on 22/09/2016.

(RAVINDRA V. GHUGE, J.)