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

**CIVIL APPLICATION (st.) NO. 28470 OF 2016
IN
WRIT PETITION NO. 8096 OF 2015**

The Dy. Chief Executive Officer,
Child Development Department ..APPLICANT

VERSUS

The State of Maharashtra & ors. ..RESPONDENTS

Mr S. N. Rodge, Advocate for applicant;
Mrs M. A. Deshpande, A.G.P. for respondent Nos. 1
to 3;
Mr D. B. Shendge, Advocate h/f Mr B. R. Kedar,
Advocate for respondent No. 4;
Mr S. S. Thombre, Advocate for respondent No. 5

**CORAM : S.V. GANGAPURWALA &
N.W. SAMBRE, JJ.**

DATE : 14th SEPTEMBER, 2016

ORAL ORDER :

The civil application is filed for setting
aside the bailable warrant issued by this Court.

2. Considering the fact that respondent No. 4
was not attending the matter, we were constrained
to issue bailable warrant to respondent No. 4.
Pursuant to the said bailable warrant, respondent

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No. 4 has appeared and is present in the Court. The civil application is filed for cancellation of bailable warrant.

3. It was only after repeated non-appearance of respondent No. 4, we were constrained to issue bailable warrant.

4. We would have taken the stern action against respondent No. 4, however considering the fact that respondent No. 4 is at the fag end of his service career and also the fact that he has tendered unconditional apology to this Court and states that this type of negligence has occurred for the first time in his service. We are accepting unconditional apology tendered by respondent No. 4, however, respondent No. 4 is admonished to be careful in handling the Court matters. The bailable warrant was issued to secure the presence of respondent No. 4. As respondent No. 4 has appeared, the said bailable warrant does not survive and same stands recalled.

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5. Civil Application stands disposed of.

(N.W. SAMBRE, J.)

(S.V. GANGAPURWALA, J.)

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