

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**
CIVIL APPLICATION NO.3334/2017 IN WP/7753/2015

PURUSHOTTAM RAMDAS PATIL
VERSUS
DIGAMBAR HARI MANE AND OTHERS

...

Advocate for the applicant:Mr.J. R. Shah
Advocate for the petitioners in W.P.:Mr.Patil P. B.
Addl. G.P. for Respondents State:Mrs.M.A.Deshpande.

**CORAM : S. V. GANGAPURWALA &
K. L. WADANE, JJ.**

DATE : 7th March, 2017

ORDER:

1. The present Civil Application is filed for the recall of the order dated 20/02/2017 passed against the respondent nos. 7 and 8, issuing bailable warrant for non-appearance.

2. We have heard Mr.Shah, the learned counsel for the applicant and the learned counsel Mr. Patil for the non-applicants.

3. Both the respondents/applicant are present in court. The applicant has tendered an unconditional apology for not causing the appearance on the earlier date. The reason given is about lack of proper advice and inadvertence. Inadvertence may not be a cogent reason to recall the order. However, considering that

the applicants were not properly advised and further that the applicants are working as Headmaster and Chairman, so also considering the assurance given by the applicants that they would diligently prosecute the matter and file their affidavit within 2 weeks, we are entertaining the present application.

4. The order dated 20/02/2017 is recalled. The applicant shall file affidavit within two weeks.

5. Civil Application is disposed of.

(K. L. WADANE, J.)

(S. V. GANGAPURWALA, J.)

JPC