

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

**CIVIL APPLICATION NO. 10828 OF 2016
IN
WRIT PETITION NO. 1579 OF 2004
WITH
CIVIL APPL. NO. 10831/2016 IN WRIT PETITION 1579/2004**

Onkar Natthu Narkhede (Died)
Through LRs.

.. Applicants.

Versus

The State of Maharashtra & others

.. Respondents.

Mr. A.G. Talhar, Advocate for the applicants.
Mr. V.M. Kagne, A.G.P. for the respondents.

**CORAM : R.D. DHANUKA &
SUNIL K. KOTWAL, JJ.**

Dated : 01-09-2017.

PER COURT :-

1. Learned Counsel appearing for the applicants states
that all the parties are served.

2. By this Civil Application, the applicants seek condonation of delay in filing this Civil Application and seeks recall of order dated 26.10.2015 thereby dismissing Writ Petition No. 1579/2004 for non-compliance of conditional order.

3. Learned Counsel appearing for the applicants states that the applicants have already filed Civil Application No. 10831 of 2016 for bringing legal heirs of deceased petitioner on record.

4. We have heard learned Counsel for the applicants and learned A.G.P

5. The applicants have made out a case for recall of the order dated 26.10.2015 for the reasons recorded in this Civil Application. The order dated 26.10.2015 is accordingly recalled.

6. Writ Petition No. 1579 of 2004 is restored to file

alongwith pending Civil Application, if any. The interim relief, if any, in force on the date of the dismissal of Writ Petition, is also restored to file.

7. Civil Application No. 10828 of 2016 is disposed of in aforesaid terms. No order as to costs.

(SUNIL K. KOTWAL)
JUDGE

(R.D. DHANUKA)
JUDGE

vdd/