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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.10038/2016
IN
WRIT PETITION NO.3067/2002

Anil Chandu Jadhav.

...Applicant..

Versus

The State of Maharashtra & others.

...Respondents...

.....

Shri Yogeshwar L. Bidve, Advocate h/f Shri A.R. Rathod,
Advocate for applicant.

Shri S.N. Morampalle, AGP for respondent nos.1 & 2.

Shri R.L. Kute, Advocate h/f Shri R.N. Dhorde, Advocate
for respondent no.6.

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CORAM: R.D. DHANUKA &
SUNIL K. KOTWAL, JJ.
DATE: 27.09.2017

ORDER :

1] By this civil application, the applicant seeks
restoration of the writ petition, which is dismissed for
default on 15.11.2014.

2] All the parties are served. No affidavit in reply
is filed.

3] We have heard learned counsel appearing for the
parties and have perused the averments made in the civil
application.

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4] Learned counsel for the respondent no.6 submits that the applicant has not given sufficient reasons for remaining absent before this Court when the matter was called out.

5] In our view, there is no merit in the submission of the learned counsel for the respondent no.6. The applicant has sufficiently explained the reasons for remaining absent before this Court when the matter was called out.

6] We are satisfied with the explanation rendered in the civil application and more particularly in paragraph nos.2 & 3 thereof.

7] The order dated 15.11.2014 passed by this Court is accordingly recalled. The writ petition is restored to file alongwith interim order, if any, which was in force on the date of dismissal of the writ petition.

8] The civil application is disposed of in aforesaid terms. No order as to costs.

(SUNIL K. KOTWAL, J.)

(R.D. DHANUKA, J.)