

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

CIVIL APPLICATION NO.8029 OF 2017
IN
WRIT PETITION NO. 6505 OF 2016
WITH
CIVIL APPLICATION NO.8049 OF 2017
IN
WRIT PETITION NO. 6394 OF 2016
WITH
CIVIL APPLICATION NO.13837 OF 2017
IN
WRIT PETITION NO. 6860 OF 2016
WITH
CIVIL APPLICATION NO.13841 OF 2017
IN
WRIT PETITION NO. 6867 OF 2016
WITH
CIVIL APPLICATION NO.13848 OF 2017
IN
WRIT PETITION NO. 6414 OF 2016
WITH
CIVIL APPLICATION NO.13868 OF 2017
WITH
CIVIL APPLICATION NO.13870 OF 2017
WITH
CIVIL APPLICATION NO.13873 OF 2017
WITH
CIVIL APPLICATION NO.13876 OF 2017
WITH
CIVIL APPLICATION NO.13877 OF 2017
IN
WRIT PETITION NO. 7009 OF 2016
WITH
CIVIL APPLICATION NO.12817 OF 2017
IN
WRIT PETITION NO. 8442 OF 2016

Rajkumar s/o Marotrao Warle

...Applicants

Versus

The State of Maharashtra and another

...Respondents

Mr V.A. Dhakne, advocate for applicant

Mr. R.V .Dasalkar, Asstt.Govt.Pleader for respondents

**CORAM : T.V. Nalawade &
Sangitrao S. Patil, JJ.**

DATE : November, 20, 2017

PER COURT :

All the civil applications are filed for modifying, recalling the order made by this Court against the applicants of imposing cost of Rs.15,000/- on them. This amount was to be deposited by them with Zilla Parishad. The order was made by holding that they did not join the duty after their transfer at new places and thereby they caused inconvenience to Zilla Parishad. This Court had not imposed cost on those employees, who had joined their new posting, though they had challenged the order in this Court. It is the specific contention of the present applicants that they had joined the new posting immediately, though they had challenged the order of transfer.

2. Learned counsel for applicants from Civil Application No.12817 of 2017 submits that, these employees had joined both the new stations when they were transferred within month two times. These submissions are not disputed by learned counsel for Zilla Parishad. It can be said that due to oversight, the order of imposing cost is made against these applicants and that order needs to be recalled.

3. In the result, all the civil applications are allowed. The order of imposing cost on these applicants is recalled.

4. If any departmental action is started on the basis of the order of cost made by this Court, the Zilla Parishad is to see it that the effect of the present order is considered in that proceeding also.

5. Civil Application 12817/2017 is filed for condonation of delay. The delay is condoned. Separate number to be treated as and that application is allowed in aforesaid terms.

[SANGITRAO S. PATIL, J.]

[T.V. NALAWADE, J.]

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