

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.861 OF 2015

IN

WRIT PETITION NO. 9761 OF 2013

Aashaskiya Mahavidyalaya Shikshaktter

Karmachari Sangh and Another

..Applicants

Vs.

State of Maharashtra and Another

..Respondents

Mr. Balasaheb R. Deshmukh, for the Applicants.

Ms. Sushma Bhende, AGP, for the Respondent No.1.

**CORAM :- S.C. DHARMADHIKARI &
B.P.COLABAWALLA, JJ.**

DATE :- JANUARY 5, 2017.

P. C.:

This is an application for restoration of the Writ Petition. In compliance with the earlier order, the Applicants' advocate has filed an affidavit proving service on all the Respondents.

2 We are satisfied from the perusal of that affidavit that Respondent No.2 is duly served. The Applicants are seeking

restoration of the Writ Petition to the file of this Court. The Writ Petition was dismissed essentially because there was no attempt made to serve the unserved Respondents. Now, that there is an affidavit proving service but none appears on behalf of the contesting Respondent No.2. For the reasons set out in the application which constitutes sufficient cause, the order of dismissal is set aside. The Writ Petition is restored to file.

3 Civil Application disposed off.

(B. P. COLABAWALLA, J.) (S. C. DHARMADHIKARI, J.)