

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1774 OF 2017  
IN  
WRIT PETITION NO.2613 OF 2004

Shobha Antu Chopade ... Petitioner  
versus  
Chief Executive Officer, Satara  
Zilla Parishad and Anr. ... Respondents

Mr. A.L.Bhise, for Applicant/Org. Petitioner.  
Mr. Sumit Kate i/by Mr. Uday Warunjikar, for Respondents.

**CORAM: S.J. KATHAWALLA, J.**

**DATE: 9<sup>th</sup> OCTOBER, 2017**

**P.C.:**

1. The Advocate for the Respondents undertakes to file Vakalatnama within a period of one week from today. The undertaking is accepted.

2. On 6<sup>th</sup> October, 2017 this Court passed the following order :

*"1. The Learned Advocate appearing for the Applicant/Petitioner states that the above Writ Petition has been admitted. Even on the website of the High Court of Bombay, the case status of the matter is shown as 'Admitted'. However, the order admitting the Writ Petition is not found in the papers. The Advocate for the Applicant/Petitioner states that he too is not having a copy of the order admitting the above Writ Petition. Office to explain as to why the order of admission is not found in the papers. Stand over to 9<sup>th</sup> October, 2017 at 3.00 p.m.*

*2. A copy of this order shall be forthwith forwarded to the Registrar (Judicial-I) for immediate action."*

3. I have perused the explanation received from the Department stating that the Office has placed a remark on 26-06-2017 on Farad of Writ Petition stating that "the matter is found in torn condition and original orders before 21-08-2007 are not found." The reason sought to be given for the torn condition of the papers is that recently the said Branch was relocated to Court Room No.6 and thereafter, shifted to CTO Building.

3. Even if the papers were shifted or re-shifted, some responsible person/officer ought to have supervised the shifting and ensured that the papers are not torn or misplaced. This is the least that we all owe to the litigants. Having said that, I have perused the Civil Application and for reasons set out therein, the hearing of the Writ Petition No.2613 of 2004 along with Writ Petition No.1016 of 2004 (arising out of the same order) is expedited and peremptorily fixed for hearing on 9<sup>th</sup> January, 2018. The above Civil Application is accordingly disposed off.

**( S.J.KATHAWALLA, J. )**