

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

904 CIVIL APPLICATION NO. 678 OF 2018
IN WP/10825/2012

NAMDEO RAMBHAU GAYKE AND ANOTHER
VERSUS
SHRIPATI BALIRAM GAYKE DIED LRS BHEEMRAO SHRIPATI GAYKE

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Advocate for Applicants : Shri S.A.Shaikh h/f Shri S.S.Deshmukh
Advocate for Respondents 1 & 2 : Ms. R.M.Mohale h/f Shri
S.S.Choudhary

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CORAM : RAVINDRA V. GHUGE, J.
Dated: January 19, 2018
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PER COURT :-

1. The applicant prays for condonation of delay of 76 days in filing this Civil Application seeking restoration of Writ Petition No.10825 of 2012 (wrongly mentioned in the prayer clause as Contempt Petition (St) No. 16392 of 2017).
2. Leave to correct the prayer clause. Correction be carried out forthwith.
3. This Court had passed a common order on 26.9.2017 that the petitions would be dismissed if the objections are not removed. Learned counsel for the petitioner assures that all office objections would be promptly removed.

akl/d

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4. Shri Choudhary, learned Advocate for the respondents opposes the application. In the alternative, he submits that heavy costs may be imposed and the amount be donated to the Advocate Association of Bombay High Court, Bench at Aurangabad.

5. Considering the above, this application is allowed. Delay of 76 days is condoned on the condition that the applicant shall deposit costs of Rs.750/- with Advocate Association's Bar Library of Bombay High Court, Bench at Aurangabad bar on/or before 9.2.2018. Simultaneously all office objections shall be removed before the said date and after the condition of compliance of these directions, the Writ Petition shall be restored to the stage at which it was dismissed.

6. Needless to state, non-compliance of any of the directions shall result in the recalling of this order and the restoration of the earlier order of this Court.

(RAVINDRA V. GHUGE, J.)

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