

1. Heard Mr. Dande, learned A.G.P. for the applicants and Mr. Gaware, learned counsel appearing for respondents (petitioners in Public Interest Litigation No.81/2017). The learned A.G.P. invited our attention to the order of this Court, dated 11.1.2018. The learned A.G.P. submitted that, by way of last opportunity, the respondent/ State was permitted to file reply before 31/1/2018 and it was further observed by this Court that if no reply is filed within stipulated period, the respondent No.4 shall be liable to deposit Rs.10,000/- towards cost and will not be

entitled to seek reimbursement of the said amount from the Public Exchequer.

2. Learned A.G.P. Mr. Dande submitted that, though the order of this Court was communicated to the office of respondent No.4, there was some inadvertent delay. An affidavit-in-reply is also filed on behalf of respondent No.4 on 9.2.2018. In the affidavit-in-reply of respondent No.4, it is stated that, the respondent No.4 tenders unconditional apology for the delay caused in filing the affidavit-in-reply. It is further stated that, the communication of the Govt. Pleader was not received by the respondent No.4. As such, the respondent No.4 had no knowledge about the order of this Court dated 11.1.2018. Then the reply refers to various orders passed by the State Government and certain documents are also placed on record along with the affidavit-in-reply. In the application it is stated that the State Government also conducted an enquiry about the Madarsas and also issued directions to the concerned Education Officer to take necessary steps to set criminal law in motion. The learned A.G.P. then submits that, there was no intention to file the affidavit-in-reply belatedly, but it was only an inadvertent mistake and the delay caused due to bonafide reason namely the communication gap. The learned A.G.P. thus prays for recalling clause (3) of the order dated 11.1.2018.

3. In view of the fact that the affidavit-in-reply is filed on 9.2.2018, the State Government has also taken such steps causing an enquiry and also certain documents are placed on record to show that the State Government is taking some serious steps dealing with the issue raised in the Public Interest Litigation, the application is allowed in terms of prayer clause (B) and the same is disposed of accordingly.

(MANISH PITALE)
JUDGE

(PRASANNA B. VARALE)
JUDGE

fmp/-

Faridkhan
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Pathan

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by Faridkhan
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