

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

1180 CIVIL APPLICATION NO. 9143 OF 2018
IN WP/918/2018

THE CHIEF EXECUTIVE OFFICE ZILLA PARISHAD OSMANABAD AND
ANOTHER
VERSUS
VINOD TATYBA ALTE AND ANR

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Advocate for Applicants : Mr. Reddy Ajinkya
AGP for Respondent no.2 : Mr. S.B.Yawalkar
Advocate for Respondent no.1 : Mr.V.S.Undre

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**CORAM : S.V.GANGAPURWALA
AND
SUNIL K.KOTWAL, JJ.**

DATE : JULY 19, 2018

O R D E R :

This court under order dated 6.7.2018 had issued bailable warrant to respondents 2 and 3 for sum of Rs. 10,000/- each. We were constrained to issue bailable warrant to respondent nos. 2 and 3 as the directions of this court were not complied in spite of repeated communications.

2. The present Civil Application is filed to recall the order dated 6.7.2018 issuing bailable

warrants to the respondents. Along with Civil application the order is placed on record rejecting application of the petitioner.

4. We have heard learned counsel Mr. Ajinkya Reddy for the applicants. The Education Officer (Primary) is present in the court. We are not convinced with the reasons given in the Civil Application. Twice the Registry of this Court has communicated the orders passed by this court and sought compliance, still the compliance was not made. The reason given in the application is of inadvertence. The same would depict negligence on the part of the applicants.

5. Applicants have tendered unconditional apology for not submitting compliance report. The compliance report is submitted to the effect that the representation is rejected on 8.5.2018 and the copy of the said order is also placed on record.

6. Considering service of the applicants and the unconditional apology tendered, so also the compliance report filed, we do not wish to precipitate the matter further. We accept unconditional apology.

7. In view of that, Civil Application is allowed and disposed of. Order issuingailable warrants to applicants is recalled.

[SUNIL K.KOTWAL, J.] [S.V.GANGAPURWALA, J.]

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