

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

CIVIL APPLICATION NO. 10476 OF 2016
AND
CIVIL APPLICATION NO. 10477 OF 2016
IN
WRIT PETITION NO. 3964 OF 2010

Yada s/o Mahadev Surve and Ors. ...Applicants

Versus

The State of Maharashtra and Ors. ...Respondents

Mr. K. B. Jadhavar, Advocate for Petitioners
Mr. V. S. Badakh, AGP for Respondent-State

**CORAM : R.M.BORDE AND
A.M. DHAVAL, JJ.**

DATE: 6th JULY, 2018

PER COURT:-

1. This is an application seeking condonation of delay in presenting application for restoration of writ petition. The petitioners have tendered an undertaking to the effect that the petitioners will not claim the statutory benefits of interest for the period commencing from the date of order of dismissal of the writ petition till the order of restoration of the writ petition. The undertaking is accepted. For the

reasons recorded in the application, both the applications are allowed. The delay occurred in presenting the application stands condoned. The order passed by the Division Bench on 18.04.2012 dismissing the writ petition for want of prosecution is recalled. The writ petition is restored to its original number.

2. A note be recorded in note sheet in writ petition that the petitioners have tendered an undertaking to the effect that they will not claim statutory benefits of interest for the period from 18th April, 2012 till today i.e. 06.07.2018.

3. The Civil Applications stand disposed of.

4. Put up the writ petition for admission on 20.07.2018.

(A.M.DHAVALA)
JUDGE

(R.M.BORDE)
JUDGE

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