

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.10730 OF 2018
(Raju Shankar Mahesuni Vs. Balkrishna Gangaram Shripat Through
Ltd., Savita Dipak Kuri)
IN
WRIT PETITION NO.8043 OF 2017

Mr.D.R.Jayabhar, Advocate for the applicant.
Mr.V.S.Bedre, Advocate for respondent No.1.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 17/12/2018

PER COURT :

1. Learned Advocate has appeared on behalf of the LR of deceased respondent No.1. He points out that the delay is of 3 years and 2 months. The record would indicate that the petitioner has been callous and negligent in the proceedings before the Trial Court. By suppression of material facts, he has acquired ad-interim relief on 29/06/2017.

2. I have heard the learned advocates for the respective sides. This civil application is allowed. The delay is condoned. By the consent of the LR, the petitioner/applicant shall deposit an amount of Rs.5,000/- (Rs. Five Thousand only) with the Government Medical College and Hospital, Aurangabad, **through Medical Officer, High**

Court Dispensary, Aurangabad, either in cash or by Demand Draft (Demand Draft be drawn in the name of “**Dean, Government Medical College and Hospital, Aurangabad Dengi Samiti**”) on or before 04/01/2019, failing which, this application shall stand dismissed without reference to the Court on 05/01/2019.

3. The applicant shall bring the LR on record on or before 04/01/2019, failing which, this application shall stand dismissed without reference to the Court on 05/01/2019. If this order is complied with, the learned Advocate waives service on behalf of the LR.

4. Only if the above direction is complied with, list this petition in the "Urgent Admissions Category" on 15/01/2019 and the interim relief would continue till the next date subject to the above.

(Ravindra V.Ghuge, J.)