

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

**CIVIL APPLICATION NO. 12079 OF 2018
IN WP/2101/2018**

**GAYABAI SAHEBRAO SHINDE AND ANOTHER
VERSUS
ATUL DEVIDAS SHINDE AND OTHERS**

...
Advocate for the Applicants : Shri Jayabhar Dattatraya R..
...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 19th October, 2018

Per Court:

1 The Applicants/ original Petitioners failed to submit the copies of the petition paper book pursuant to the order of this Court dated 21.02.2018 and therefore, notices could not be issued to the respondents and the petition stood dismissed without reference to the Court on 28.02.2018.

2 This Civil Application is filed on 10.08.2018.

3 As the writ petition was at a pre-notice stage and since the subject matter of the suit involves ancestral immovable properties, this Civil Application is allowed and the Writ Petition is restored subject to the Applicants/ Petitioners paying an amount of Rs.2000/- (Rupees Two Thousand) as donation for the Ghati Hospital, Aurangabad (Government

Medical College and Hospital, Aurangabad), to be deposited with the Medical Officer, High Court Dispensary, Aurangabad, either in cash or by Demand Draft, to be drawn in the name of "Dean, Government Medical College and Hospital Dengi Samiti, Aurangabad" and producing a receipt of such deposit before the Registry of this Court on or before 01.11.2018, failing which, this order shall stand recalled and the Civil Application shall stand rejected without reference to the Court on 02.11.2018.

4 Copies of the writ petition memo for issuance of notices shall be supplied on or before 01.11.2018, failing which, this writ petition shall stand dismissed without reference to the Court on 02.11.2018.

5 If the above directions are complied with, issue notice to Respondent No.1, in Writ Petition returnable on 07.12.2018.