

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

WRIT PETITION NO. 13848 OF 2017

Shivaji S/o Ashroba Gayake ... Petitioner

VERSUS

The State of Maharashtra & Anr. ... Respondents

.....
Mr M. P. Kale, Advocate for the petitioner
Mr P. S. Patil, AGP for respondent/State
.....

WITH

WRIT PETITION NO. 13849 OF 2017

Vaijnath S/o Vitthalrao Gayake ... Petitioner

VERSUS

The State of Maharashtra & Anr. ... Respondents

.....
Mr M. P. Kale, Advocate for the petitioner
Mr P. S. Patil, AGP for respondent/State
.....

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.**

DATE : 30TH JANUARY, 2018.

ORDER:

1. The learned AGP on instructions states that, the file is not traceable. In Writ Petition No. 13849/2017, the endorsement of the

Inward Clerk of the office of SLAO states that the reference u/s 18 is received with court fees of Rs. 1090/- whereas, in Writ Petition No. 13848 of 2017, the endorsement of the Inward Clerk of the SLAO states that the reference is received without court fees.

2. As the statement is made by the learned AGP on instructions that the files of the references submitted by the petitioners are not traceable, we pass the following order.

ORDER

- (i) In case the file is not traceable with the office of competent authority where the reference was filed, the said respondent shall verify its record i.e. Inward Register or otherwise and if satisfied that the reference was submitted, shall reconstruct the file. In Writ Petition No. 13848/2017, the petitioner shall deposit the required court fees within four weeks from today. In case the said reference is allowed, the petitioner would not be entitled for the statutory benefits from 01.08.2006 till date.
- (ii) In writ petition no. 13849/2017, the endorsement shows that the court fees of Rs. 1019/- is deposited. After

reconstruction, upon verification of the record and deposit of court fees in Writ Petition No. 13849/2017, the Collector shall forward the said reference to the court immediately.

3. Writ Petitions are, accordingly, disposed of.

[A. M. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Punde