

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application [CAO] No. 1964 of 2018
IN
Misc. Civil Application St. No. 12090 of 2018
IN
Writ Petition No. 1191 of 2018 [decided]
[Shankar Anandrao Kothekar & others Vs. State of Mah., School
Education Deptt. & two others]

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's orders

Ms. S. S.Dashputre, Adv., for the applicants.
Mr. Ghodeswar, AGP for respondent no.1.

CORAM : B. P. DHARMADHIKARI
AND
S. M. MODAK, JJ.

DATE : 31st October, 2018

Writ Petition No. 1191 of 2017 was dismissed by this Court in default after noticing that relevant questions could not be answered by petitioners. Intention was only to give petitioners an opportunity to collect date and apply for restoration. Civil Application No. 1964 of 2018 has been filed for restoration.

There is also a delay of sixty-three days in seeking restoration. Hence, before issuing notice, we wanted to find out whether any case on merits in Writ Petition can now be demonstrated.

The Office Order dated 2nd December, 2014 [Annex.-C] shows that Govt. Circular has extended benefit to twenty per cent of the posts on the basis of seniority. Petitioners are not in a position to demonstrate that they fall in said twenty per cent category. The oldest petitioner before this Court is eighty-seven years of age, while the youngest petitioner is about seventy years' old.

We, therefore, find no case made out again for issuing notice on the prayer for condonation of delay. Rejected.

Judge

Judge