

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

939. CIVIL APPLICATION No. 2433 of 2019
IN
CIVIL APPLICATION No. 9824 of 2018
IN
WRIT PETITION (Stamp) No. 2126 of 2017

Balajirao S/o Laxmanrao Nalge and others ...Applicants

VERSUS

Vijaya W/o Sainath Nalge and others ...Respondents

WITH
950. CIVIL APPLICATION No. 2500 of 2019
IN
REJECTED CASE No. 747 of 2017
IN
WRIT PETITION (Stamp) No. 2127 of 20197

Mr. C.V. Thombre, Advocate for applicants

CORAM : SUNIL P. DESHMUKH, J.

DATE : 8th February, 2019

ORDER:

1. The writ petition had been dismissed once for non removal of office objections and the same had been restored under order dated 3rd August, 2018 imposing costs of Rs. 500/- to be deposited with the Government Medical College and Hospital, Aurangabad, through Medical Officer, High Court Dispensary, Aurangabad, either in cash or by demand draft and stipulating

condition of reporting back compliance of the direction within stipulated period. Civil applications refer to that said order could not be complied with since brother of the advocate had died and the objections could not be removed within time. Applicant is age old person and could not keep himself apprised of said development took place and, as such, there is delay, which is neither intentional nor deliberate.

2. Having regard to aforesaid, it would be expedient in the interest of justice to allow application in terms of prayer clause (B) and (C), subject to payment of costs of Rs. 2500/- (Rs. Two thousand five hundred only) comprising Rs. 500/- pursuant to order dated 3rd August, 2018 and additional Rs. 2000/- under this order.

3. As such, civil application is allowed in terms of prayer clause (B) and (C), subject to payment of costs of Rs. 2500/- (Rs. two thousand five hundred only) to be deposited as referred to under order dated 3rd August, 2018.

4. Office objections be removed within a period of four weeks.

**(SUNIL P. DESHMUKH)
JUDGE.**