

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 5035 OF 2019
IN
WRIT PETITION NO. 14186 OF 2018

The State of Maharashtra and Ors. ...Applicants

Versus

Shaikh Imam Badasha Shaikh Mujawar ...Respondent

Mr. P.K. Lakhotiya, Assistant Government Pleader for
Applicants/State

Mr. K.D. Bade Patil, Advocate for Respondent

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

DATE : 24th APRIL, 2019

ORAL ORDER:

1. Leave to amend the nomenclature of the applicant.
2. The present Civil Application is filed for recall of the bailable warrant issued to the applicant. It is submitted that the bailable warrant issued by this Court under order dated 01.04.2019 is not served on the applicant.
3. We were required to issue bailable warrant to the present applicant under order dated 1st April, 2019 as the matter was adjourned at the behest of the applicant time and again. On 04.03.2019, we had observed that if on the next date, instructions

are not received from the respondents, the respondent No. 3 shall personally remain present in the Court. On 1st April, 2019, the applicant was not present in the Court and this fact compelled us to issue bailable warrant to the applicant.

4. The reason given for not remaining present on 1st April, 2019 is that there was communication gap. That reason given is too vague reason. No details are given as to whether the applicant has received the communication. We cannot appreciate such a callous approach on behalf of the Government servant.

5. We warn the applicant that, if in future, such negligent attitude is noticed, we will take stern action against the applicant namely, Mr. Tejas Balkrishna Chavan, Sub-Divisional Officer, Shrirampur.

6. It is submitted that affidavit is filed on record and details are given that in time bound manner action would be taken.

7. Considering the fact that the affidavit has been filed on record, the order issuing bailable warrant is recalled.

8. The Civil Application is disposed of.

[A. M. DHAVAL]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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