

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

CIVIL APPLICATION No. 5406 of 2019
IN
WRIT PETITION NO. 9811 OF 2018

Astik Kumar Pandey,
District Collector, Beed

...Applicant.

VERSUS

Ganesh Arjun Hatmode and others

...Respondents

Mr. A.B. Girase, Govt. Pleader for applicant.

Mr. D.R. Jaybhar, Advocate for respondents.

CORAM : S. V. GANGAPURWALA
AND
A. M. DHAVALA, J J.

DATE : 25th APRIL, 2019

ORDER:

1. Present application is filed for recall of the order dated 9th April 2019 passed by this Court thereby issuing bailable warrant to the applicants.

2. Mr. Girase, learned Government Pleader, states that the applicant could not comply the order of this Court because of the heavy workload and ensuing elections held in Beed District. The applicants have tendered unconditional apology for their failure to comply orders of this Court and filing affidavit. It is also submitted that cost of Rs. 2000/- has been deposited in the Court.

3. Learned Government Pleader further submits that

affidavit in reply is already filed in the petition.

4. We have also heard the learned Counsel for the non-applicants.

5. It appears from the record that from time to time, the matter has been adjourned at the request of learned Counsel for the applicants for filing affidavit. In-spite of granting ample opportunity, affidavit has not been filed. We had adjourned the matter at the request of learned Counsel for the applicants, subject to payment of cost of Rs.2000/-. Amount of cost is also deposited. Eventually, we have to issue bailable warrant to the applicants as applicants were not filing their affidavit in reply to the petition.

6. We have gone through the application and the reasons given therein. Though the applicants were busy with workload, it is also their duty to attend the Court matters and comply orders passed by this Court.

7. Considering the fact that affidavit is already filed and the reasons given in the application, we recall the order dated 9th April 2019 issuing the bailable warrant to the applicants.

8. Civil application is disposed of.

(A. M. DHAVAL)
JUDGE

Madkar

(S. V. GANGAPURWALA)
JUDGE