

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.14423 OF 2017
IN WRIT PETITION STAMP NO.17965 OF 2013
(R.C.NO.1395/2013)

NITIN SURESH DHONGDE
VERSUS
THE CHIEF OFFICER, MUNICIPAL COUNCIL, KALAMB AND
ANOTHER

Mr.H.K.Munde, Advocate for the applicant.
Mr.B.R.Sontakke Patil, Advocate for respondent No.1.
Mr.S.W.Munde, AGP for respondent No.2.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 30/08/2019

PER COURT :

1. By this application, the original petitioner prays for condonation of delay of 3 years and 7 months and for setting aside the order of the learned Registrar dated 02/12/2013 refusing to register the writ petition for non removal of office objections.

2. The learned Advocate for the non applicant /Municipal Council and the learned AGP on behalf of respondent No.2 have opposed this application. In the alternative, it is submitted that heavy costs be imposed and the costs amount may be donated for the treatment of

poor patients.

3. The record indicates that the applicant/petitioner has suffered adverse orders dated 08/05/2012 passed by the Labour Court dismissing Complaint (ULP) No.54/2009 and 14/03/2013 passed by the Industrial Court dismissing his Revision (ULP) No.29/2012. This is the last Court available to the petitioner.

4. Considering the above and since laches or oblique motives are not attributed to the conduct of the applicant, this application is allowed. The delay is condoned on the condition that the applicant shall deposit an amount of Rs.1,500/- (Rs.One thousand Five hundred only) with the Government Medical College and Hospital, Aurangabad, **through Medical Officer, High Court Dispensary, Aurangabad**, either in cash or by Demand Draft (Demand Draft be drawn in the name of “**Dean, Government Medical College and Hospital, Aurangabad Dengi Samiti**”) on or before 21/09/2019. Similarly, all office objections in the writ petition shall be removed on or before the same date.

5. After both these directions are complied with, the petition shall

be registered. In the event, the writ petition paper book is destroyed, the petitioner shall supply the fresh copy of the writ petition paper book on or before 30/09/2019.

6. After the compliance of the above directions, the writ petition shall be registered and shall be listed for admission hearing on 07/10/2019.

(Ravindra V.Ghuge, J.)