

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

932 CIVIL APPLICATION NO.9833 OF 2019
IN WP/5265/2001

PRATIMA VIJAY BANDEWAR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicants : Dr.Godbole R.J.
Mr. PK Lakhotiya, AGP for Respondent Nos. 1 & 6.
Mr. Deshpande Sanjeev B., ASG for Resp.No.5.

**CORAM : S.V.GANGAPURWALA &
AVINASH G.GHAROTE,JJ.**

DATED : 29th November,2019.

PER COURT:-

1. The present civil application is filed for re-call of the order dismissing the writ petition for non-prosecution. Notices were issued to the respondents in the present civil application and the respondents are also served, however, none appears for Respondent Nos.2, 3, 4 and 7.

2. Mr. Deshpande, learned ASG, appears for Respondent No.5. Learned AGP appears for Respondent Nos.1 and 6.

3. The reason is given in the application that father of the advocate of the applicant was hospitalized and the advocate of the applicant was catering to his father in the hospital and was

(2)

unable to work out the matter and the matter came to be dismissed.

4. Considering the reasons given and further that the non-applicants have not controverted the grounds raised by the applicant, the civil application is allowed in terms of prayer clause (B) and (C). The Writ petition is restored to its original position.

(AVINASH G.GHAROTE,J.)

(S.V.GANGAPURWALA,J.)

BDV