

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

918 CIVIL APPLICATION NO.4280 OF 2020
IN RC/492/2020
EXECUTIVE ENGINEER, IRRIGATION PROJECT STRENGTHENING
(MAJBUTIKARAN) DIVISION, OMERGA
VERSUS
SAHEB GANPATI GARAJE

WITH
CIVIL APPLICATION NO.4281/2020 IN RC/495/2020
EXECUTIVE ENGINEER, IRRIGATION PROJECT STRENGTHENING
(MAJBUTIKARAN) DIVISION, OMERGA
VERSUS
GAJENDRA MANIK GARAJE

WITH
CIVIL APPLICATION NO.4282/2020 IN RC/494/2020
EXECUTIVE ENGINEER, IRRIGATION PROJECT STRENGTHENING
(MAJBUTIKARAN) DIVISION, OMERGA
VERSUS
KERBA GANPATI GARAJE

WITH
CIVIL APPLICATION NO.4283/2020 IN RC/493/2020
EXECUTIVE ENGINEER, IRRIGATION PROJECT STRENGTHENING
(MAJBUTIKARAN) DIVISION, OMERGA
VERSUS
KISHAN LAXMAN MURAME THROUGH LRS. KUSUM KISHAN MURAME

AND
919 CIVIL APPLICATION NO.4284 OF 2020
IN RC/496/2020
EXECUTIVE ENGINEER, IRRIGATION PROJECT STRENGTHING
(MAJBUTIKARAN) DIVISION, OMERGA
VERSUS
VENKAT GOPINATH SURWASE AND ANOTHER

WITH
CIVIL APPLICATION NO.4285/2020 IN RC/498/2020
EXECUTIVE ENGINEER, IRRIGATION PROJECT STRENGTHING
(MAJBUTIKARAN) DIVISION, OMERGA
VERSUS
HARIBA JAIRAO GARAJE

WITH
CIVIL APPLICATION NO.4286/2020 IN RC/497/2020
EXECUTIVE ENGINEER, IRRIGATION PROJECT STRENGTHING
(MAJBUTIKARAN) DIVISION, OMERGA
VERSUS
KISHAN TULSHIRAM GARAJE THROUGH LRS MADHUKAR KISHAN
GARAJE

WITH
CIVIL APPLICATION NO.4287/2020 IN RC/499/2020
EXECUTIVE ENGINEER, IRRIGATION PROJECT STRENGTHING
(MAJBUTIKARAN) DIVISION, OMERGA
VERSUS
SANJAY VINAYAK GARJE

WITH
CIVIL APPLICATION NO.4288/2020 IN RC/500/2020
EXECUTIVE ENGINEER, IRRIGATION PROJECT STRENGTHING
(MAJBUTIKARAN) DIVISION, OMERGA
VERSUS
INDUMATI TULSIRAM JADHAV

WITH
CIVIL APPLICATION NO.4289/2020 IN RC/501/2020
EXECUTIVE ENGINEER, IRRIGATION PROJECT STRENGTHING
(MAJBUTIKARAN) DIVISION, OMERGA
VERSUS
RAVAN VISHWANATH GARJE

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Mr. Sham B. Patil, Advocate for applicants in all civil applications.

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CORAM: V.L. ACHLIYA, J.

DATE: 14.08.2020

PER COURT :

1] The applicants have moved these applications seeking recall of order dated 15.1.2020 passed by this Court dismissing the matters consequent to default in supply of spare copies for service

to respondents.

2] It is submitted that the applicants were of the order passed in the matters. The Advocate engaged in the matters has not taken proper steps. As soon as the applicants came to know about the order passed, they have engaged services of another Advocate and moved these applications seeking recall / setting aside of the order. It is submitted that the applicants have good case to succeed in appeals. In case the orders in these matters are not recalled, serious prejudice would be cause to applicants - acquiring body.

3] On due consideration of the submissions advanced in the light of facts pleaded, I am of the view that the applications seeking recall / setting aside of order dated 15.1.2020 deserve to be allowed in the interest of justice. No prejudice would be caused to other side if applications are allowed as ultimately the proceedings are at preliminary stage. The notices are yet to be served to respondents. Learned counsel for the applicants undertakes to supply copies within two weeks.

4] The applications are allowed in terms of prayer clause (B) in respective applications subject to furnishing copies within two weeks. The order dated 15.1.2020 passed in these matters is set aside. The matters are restored to file. In case copies are supplied

within two weeks, notices be issued to respondents returnable on 9.10.2020.

5] Civil applications for recall / setting aside of order dated 15.1.2020 are disposed of in above terms.

(V.L. ACHLIYA, J.)