

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 13108 OF 2019
IN
REVIEW APPLICATION ST.NO. 32523 OF 2019
IN
WRIT PETITION NO. 12042 OF 2018

National Highways Authority of India,
Through Shri Ajay P. Gadekar ...Applicant

Versus

Abhay Madhukar Naik and Ors. ...Respondents

Mr D.S. Manorkar, Advocate for Applicant
Smt V.S. Chaudhary, AGP for Respondents-State
Mr N.K. Tungar, Advocate for Respondent No. 1

**CORAM : S.V. GANGAPURWALA
AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 7th FEBRUARY, 2020

PER COURT :

1. Heard Mr Manorkar, the learned Counsel for the applicant and Mr Tungar, the learned Counsel for respondent No. 1.
2. The learned Counsel for respondent No. 1 opposes the application on the ground that present applicant was having knowledge of the order passed by this Court. Even notice was issued by the Arbitrator to the Project Director on 3rd April, 2019 and on 19th March, 2019, the writ was sent by this Court.

3. According to the applicant, the Counsel for the Union of India wrongly waived the service of notice on behalf of the present applicant. The applicant was not effectively represented. The present civil application is filed in the month of October, 2019.

4. Considering the aforesaid reasons given, the civil application is allowed in terms of prayer clause (B). The delay in filing the review petition is condoned.

5. The civil application is disposed of.

[SHRIKANT D. KULKARNI, J.] [S.V. GANGAPURWALA, J.]

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