

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

**CIVIL APPLICATION NO. 227 OF 2020
IN
WRIT PETITION NO. 1850 OF 2019**

**THE CHIEF EXECUTIVE OFFICER AND ANOTHER
VERSUS
ARUN RAGHUNATH NIMBADE AND OTHERS**

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Advocate for Applicants : Mr. M. K. Goyanka
Advocate for Respondent No. 1 : Mr. V. P. Patil
AGP for Respondents / State : Mr. P. G. Borade

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**CORAM: S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATE: 14th JANUARY, 2020

PER COURT:

1. On 07.11.2019, we had imposed costs of Rs.10,000/- upon respondents no. 3 and 4. The cost was not deposited nor the affidavit was filed by respondents no. 3 and 4. On 28.11.2019, we had directed issuance of bailable warrant to respondents no. 3 and 4 to secure their presence.

2. Respondents no. 3 and 4 have filed the present civil application for re-call of the order issuing bailable warrant against them.

3. In the civil application, it has been averred that the applicants were under impression that the concerned clerk has provided all the information. There was no knowledge about the order passed by this Court to deposit the cost. The cost is deposited immediately on getting the knowledge of the order. It was further submitted that applicant no. 2 has gone on official training from 01.11.2019. The applicants have tendered their unconditional apology and has also filed *affidavit in reply*.

4. For the reasons stated in the application, the order dated 28.11.2019 issuing bailable warrant stands recalled.

5. The civil application accordingly stands disposed of.

[MANGESH S. PATIL, J.] [S. V. GANGAPURWALA, J.]

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