

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.6644 OF 2020 IN
WRIT PETITION NO.5484 OF 2015**

Shivshankar Lachamandas Rathod

Applicant

Versus

The State of Maharashtra & others

Respondents

Mr.Devang R. Deshmukh, advocate for the applicant.

Mr. S.W.Munde, AGP for Respondents No.1 to 6.

Mr.V.S.Bedre, advocate for Respondents No.7A to 7D.

CORAM : AVINASH G. GHAROTE, J.

DATE : 04th August, 2021.

PC :

1 By an order dated 11.12.2015, the petitioners were directed to remove office objections by 22.01.2016 failing which, the matter was directed to stand dismissed without further reference to this Court.

2 The Civil Application has been filed for restoration of the petition albeit with a delay of 1737 days. It is material to note that while issuing notice on 15.05.2015, interim relief was granted, which was continued from time to time. The office objection relate to supplying typed copies of certain pages. Learned Counsel for

the petitioners, submits that the objection would be removed today itself if requisite permission is granted. He further submits that looking to the nature of the controversy, the substantial right of the petitioners would be lost in case the petition is not restored.

3 In view of that position, in spite of the vehement objection of Mr.Bedre, learned Counsel for the respondents no.7A to 7D, the petition stands restored by condoning the delay of 1737 days at the cost of Rs.25,000/- (Rs. Twentyfive thousand) to be paid to the High Court Legal Services Sub Committee, Aurangabad. It is made clear that if the objections are not removed today, the earlier order would stand restored.

4 Civil Application is disposed of accordingly.

(AVINASH G. GHAROTE)
JUDGE