

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

**CIVIL APPLICATION NO.8086 OF 2021  
IN WP/8273/2020**

**THE CHIEF EXECUTIVE OFFICER AND OTHERS  
VERSUS  
DILIP PANDIT YEOLE AND ANOTHER**

...

Advocate for Applicants : Shri Bondar U.B.  
Advocate for Respondent 1/ original petitioner : Shri D.R. Irale  
Patil

AGP for Respondent 2 : Shri S.B.Pulkundwar

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**CORAM : RAVINDRA V. GHUGE  
&  
S.G. MEHARE, JJ.**

**DATE :- 17<sup>th</sup> August, 2021**

**Per Court :-**

1. By this Civil Application, the applicants pray for recalling of only one direction set out in paragraph 3 of the order of this Court dated 04.08.2021 delivered in Writ Petition No.8273/2020. Paragraph 3 reads as under:-

*“3. We are, therefore, directing that respondent Nos.2 to 5 shall have to deposit Rs.10,000/- (Rupees Ten Thousand) each from their salary accounts in this Court, on or before 31.08.2021, failing which, we would not hesitate to initiate contempt of court action against them, inasmuch as, we would direct the District Collector, Aurangabad to recover the said amount as arrears of the land revenue. We*

*request the learned AGP representing respondent No.1 to communicate this order to respondent Nos.2 to 5 individually.”*

2. Since we had noticed that no appearance was being entered on behalf of these applicants despite the first service of notice and followed by a notice for final disposal, that we had imposed the said costs.

3. The learned advocate for the original petitioner submits that this Civil Application is of the nature of an application seeking modification. So also, the petitioner would not be insisting on personal costs being imposed.

4. The learned AGP submits that considering the reasons set out in the application, the costs imposed vide the above paragraph 3 may be excused.

5. We find from the Civil Application, which is filed for seeking modification, that the building of the Zilla Parishad, Aurangabad has been demolished for erecting a new building. Temporarily, the Education Department is shifted to the Chelipura High School, which has been closed due to Covid-19 pandemic. Due to transportation of files and considering the pandemic, the Education Department could not attend to the

pending petition. Never before has the Education Department of the Zilla Parishad ignored the court proceedings.

6. In view of the above, we are accepting the unconditional apologies tendered by the applicants and we are recalling our order to the extent of directing these applicants to deposit Rs.10,000/- each from their salary accounts in this Court. This Civil Application is, therefore, partly allowed to the above extent.

7. Paragraph 3 of our order dated 04.08.2021 would, therefore, stand deleted.

*kps*

(S.G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)