

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.9359 OF 2021
IN WP/5981/2020

TUKARAM SUPDU CHAUDHARI DIED THROUGH LRS RAMAN
TUKARAM CHAUDHARI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.K.N.Shermale, Advocate for the applicant.
Mr.K.B.Jadhav, AGP for respondent Nos. 1 to 5.

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

DATE : SEPTEMBER 14, 2021

PER COURT :

1. Mr.Shermale, the learned Advocate is now appearing on behalf of the applicant and he solemnly submits that Advocate Mr.Girish Nagori has curtailed his practice in the High Court and has moved his office to Jalgaon. This civil application is filed for seeking restoration of WP No.5981/2020. Delay of 15 days is caused.

2. The writ petition was dismissed in default since Mr.Nagori had practically declined to conduct the brief. The Court was not informed that he had curtailed his practice and left Aurangabad. The petition

was therefore dismissed in default even before issuing notice. Even earlier, this petition was dismissed and then restored.

3. In our view, delay of 15 days is minor and cannot be said to be inordinate or deliberate. We, therefore, allow this civil application by condoning the delay.

4. The writ petition is restored.

5. The learned Advocate for the petitioner submits that the petition would lie before the learned Single Judge as the impugned order is passed by the Divisional Commissioner, Nasik in RTS Revision No.588/2018.

6. In view of the above, this petition is removed from the Board.

(S.G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)