

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4023 OF 2020

SUNANDA RAMCHANDRA KALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. S. R. Barlinge
AGP for Respondents No.1 and 2 - State : Mr. S. R. Yadav
Advocate for Respondents No.3 and 4 : Mr. Prashant D. Suryawnashi
Advocate for Respondents No. 5 and 6 : Mr. Sachin S. Deshmukh

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WITH
CIVIL APPLICATION NO. 12300 OF 2021
IN WP/4023/2020

RAVIKANT MARUTI SHINDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Applicant : Mr. Prashant D. Suryawnashi
AGP for Respondents No.1 and 2 - State : Mr. S. R. Yadav
Advocate for Respondents No. 4 and 5 : Mr. Sachin S. Deshmukh
Advocate for Respondents No.6 to 11 : Mr. S. R. Barlinge

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CORAM : RAVINDRA V. GHUGE
AND
S. G. MEHARE, JJ.

DATE : 18TH NOVEMBER 2021

PC :

1. Shri. Sachin Deshmukh, the learned Advocate causes his appearance on behalf of respondent Nos. 5 and 6. Service is complete. He states that an affidavit-in-reply is ready and the copy of the same could be served on the learned counsel for the respective sides today itself. Office to accept the reply.

2. Insofar as Civil Application No. 12300 of 2021 is concerned, the applicant Ravikant Maruti Shinde, District Social Welfare Officer, Zilla Parishad, Beed, has prayed for recalling of our order dated 11th October, 2021, by which, we had issued a bailable warrant to be served upon him to ensure his appearance in this proceeding on account of his repeated absence despite service of court notice.

3. The learned Advocate for the applicant informs us that warrant is served upon him on 23rd October, 2021. He has already filed an affidavit-in-reply. He further agrees to donate a sum of Rs.10,000/- to the Advocates' Association of Bombay High Court, At Aurangabad. He has joined the duties on 14th May, 2021 and notice of this court was served on earlier District Social Welfare Officer, who did not respond to the notice.

4. Notwithstanding the above explanation, the applicant should have been diligent after joining the duties in taking stock of the pending litigation and should have ensured that the pending cases are properly attended to. Since this appears to be his first lapse, we are accepting his apology with the condition that he is donating an amount of Rs.10,000/-. The said amount to be deposited with the Advocate's Association mentioned above vide banker's cheque drawn on the salary bank account of the applicant. With this, the civil application is disposed off.

5. Taking into account the affidavit in reply filed by respondent No.4, admitting the status of the petitioner, it is pointed out that the salaries of these petitioners are not paid since October, 2017 as the Headmaster does not submit the salary bills of these employees. Respondent Nos. 5 and 6 shall enter an affidavit in reply atleast three days prior to the next date. If the petitioners have been working since October, 2017, the Headmaster of the School need not wait till the hearing of this petition and shall process the salary bills of the petitioners so as to enable the District Social Welfare Officer to clear the said salary bills.

6. List this petition on 30-11-2021 in the "urgent category".

[S.G. MEHARE, J.]

[RAVINDRA V. GHUGE, J.]

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