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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION (ST.) NO.13118 OF 2021

IN

WRIT PETITION NO. 2561 OF 2020

The Commissioner Adivasi Vikas Nashik	...Applicant
<i>In the matter between</i>	
Vijay Ambarrao Patil & Ors.	... Petitioners

Versus

The Commissioner Adivasi Vikas Nashik	...Respondents
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Mr. Pratik Rahade for the Petitioners.

Smt. P.N. Diwan, AGP for State – Respondent Nos.1 to 3 in WP
and Applicant in IA.

CORAM : R.D. DHANUKA &
R.I. CHAGLA, JJ.

DATE : 12 July 2021

ORDER :

1. By this Interim Application, the Applicant (Original Respondents) seek recall of the order passed by this Court on 23rd March, 2021 in so far as costs of Rs.5,000/- is awarded by this Court as a condition precedent for granting three weeks time to the Applicant to file Affidavit in Reply. Learned AGP

states that, the delay was not deliberate and assures this Court that State will not ask for unnecessary adjournments before this Court in future. Statement is accepted. Hence the order dated 23rd March, 2021 passed by this Court is recalled.

2. Interim Application is disposed of in the aforesaid terms.

3. At this stage learned Counsel for the Petitioners states that though the Respondents - State has filed Affidavit in Reply, the same is not in compliance with the order dated 26th November, 2020. The State has not disclosed in the Affidavit in Reply the steps taken by the concerned department pursuant to the minutes of meeting and has not disclosed when these rules will be finalized. Statement is accepted.

4. The Respondents - State is directed to file additional Affidavit in Reply in compliance with the order dated 26th November, 2020 within two weeks from today. It is made clear that no further extension of time would be granted. If additional Affidavit in Reply is not filed within two weeks, the

order dated 23rd March, 2021 passed by this Court will be restored.

5. Place the matter on board on 9th August, 2021.

[R.I. CHAGLA J.]

[R.D. DHANUKA, J.]