

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

918 CIVIL APPLICATION NO.4207 OF 2022
WITH CA/1295/2022 IN RC/1302/2019
IN WP ST.NO.13643/2019

SOMNATH NAMDEO NAGARE
VERSUS
MANDA BABAN GHUGE AND OTHERS

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Advocate for Applicant : Mr. AD Sonkawde, Advocate h/for
Mr. Jadhav Kailas B.
Mr. PG Borade, AGP for Respondents:3 & 4

CORAM : PRITHVIRAJ K.CHAVAN , J.
DATE : 23rd MARCH, 2022.

PER COURT :-

1. This is an application for restoration of writ petition by setting aside the order dated 7th October, 2019 passed by the Registrar (Judicial) of this court, mainly on the ground that despite opportunities, not on one or two, but on three occasions, the Counsel for the petitioner failed to remove the office objections, as contemplated in Chapter XVII Rule 3 (ii) (iii) of The Bombay High Court, Appellate side Rules. The learned Registrar has, therefore, rightly refused the registration of the writ petition. The Counsel appearing for the petitioner ought to have been diligent in taking necessary steps in that regard. A party in such scenario cannot be blamed and, therefore, some cost needs to be imposed upon the Counsel. Cost of Rs.1,000/- (Rupees one thousand) to be paid by the Counsel to the High Court Bar

(2)

Association Library, Aurangabad. The delay is condoned. The writ petition be registered subject to deposit of the costs.

2. The Civil Application stands disposed of accordingly.
3. After registration of the writ petition, issue notice to the respondents returnable 30th March, 2022.
4. In addition to Court's notice, the petitioner shall serve private notice and file an affidavit of service.
5. Learned AGP waives service of notice on behalf of Respondent Nos. 3 and 4.

(PRITHVIRAJ K.CHAVAN, J.)

BDV