

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2116 OF 2022
IN WP/10562/2019
WITH WP/10562/2019

SPECIAL LAND ACQUISITION OFFICER
PERCOLATION TANK MINOR IRRIGATION NO. 2

VERSUS

YADAV BHAURAO GAIKWAD AND OTHERS

AGP for Applicants : Mrs. M.A. Deshpande
Advocate for Respondents : Mr. G.N. Chincholikar

**CORAM : A.S. GADKARI AND
S. G. MEHARE, JJ.**

DATE : 18.02.2022

P.C. :

1. This is an application for recalling of Order dated 09.02.2022, passed by this Court, thereby issuing bailable warrant in the sum of Rs. 10,000/- against respondent No. 3.

The present application was immediately filed on 11.02.2022, by the Government Pleader. It is the contention of respondent No. 3 that, on 09.02.2022 at about 09:30 a.m. he received telephonic instructions from the Office of Govt. Pleader, to attend this Court to comply with Order dated 24.02.2020 and he immediately started to come to Court along with the record. He reached High Court premises at Aurangabad, at around 03:30 p.m. He submitted that, non attendance of the matter on

09.02.2022, in time was neither intentional nor deliberate act on his part.

2. Perusal of present application filed on behalf of respondent No. 3, clearly indicates that, sufficient cause is made out for recalling the Order dated 09.02.2022.

3. In view thereof, Order dated 09.02.2022 is recalled. Application is accordingly allowed in terms of prayer clause (B).

[S.G. MEHARE, J.]

[A.S. GADKARI, J.]