

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

**937 CIVIL APPLICATION NO.6829 OF 2022
IN WP/315/2021 WITH WP/315/2021**

**NATIONAL TESTING AGENCY AND ANOTHER
VERSUS
HIMANSHU SUDAM BANATE AND OTHERS**

...

Advocate for Applicants : Smt. Sudha Chintamani
Addl. GP for Respondent Nos. 1 and 2 : Mr. P.S. Patil
Advocate for Respondent-Petitioner : Mr. D.D. Choudhari

...

**CORAM : RAVINDRA V. GHUGE &
S.G.DIGE, JJ.**

DATE : 29.04.2022

P.C. :

1. The learned advocate for the applicants has herself filed the civil application under her signature.
2. The learned counsel apologetically submits that respondent No. 4 gave her telephonic instructions to cause appearance. Though, she appeared before the Court on behalf of respondent No. 3, she forgot to tell the Court that she would appear for respondent No. 4, also. She, therefore, submits that if costs are to be imposed, she herself will pay the same.

3. Considering the frank statement made by the learned Advocate for respondent Nos. 3 and 4, though she has not filed *Vakalatnama* for respondent No.4, we re-call our order dated 11-04-2022. We are not imposing costs upon the learned Advocate. The Civil Application is allowed.

4. The Third and Fourth respondent shall enter affidavit in reply, on or before 10th June, 2022. If they fail to file the affidavit in reply, they shall deposit costs of Rs.25,000/- each in this Court for filing the affidavit after 10th June, 2022.

5. List the writ petition in the urgent admission category on 20th June, 2022.

(S.G.DIGE, J.)

(RAVINDRA V. GHUGE, J.)

mtk