

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

902 CIVIL APPLICATION NO.10802 OF 2019
IN RC/195/2019

LAHU MAROTI LOMATE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicant : Mr. P.B. Rakhunde h/f. Mr. S.B. Bhapkar
AGP for Respondents 1 to 4 : Mr. P.G. Borade
Advocate for Respondent 5 : Mr. M.D. Gitte

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CORAM : SMT. BHARATI H. DANGRE, J.
DATED : 09/02/2022

PER COURT :

1. By the present application, the restoration of the writ petition Stamp No. 23035/2018 is sought for, since on account of non removal of the office objections within period stipulated as directed by the Registrar (Judicial), the petition came to be dismissed.

In bringing the application, there is delay of 175 days.

2. I have heard the learned counsel for the applicant, perused the application. From the application, the delay is sought to be justified on the ground that the party was not able to contact his lawyer on account of drought situation.

In any case the removal of the office objections was the responsibility of the counsel and once the party has appointed the

counsel to represent him, he must ensure that the petition filed by him is properly prosecuted which even including responsibility to remove the office objections, if notified by the registry. In these circumstances, the applicant himself cannot be blamed for dismissal of the writ petition and therefore, I deem it expedient to allow the application and grant restoration of the petition subject to the stipulation that the counsel for the applicant himself personally shall deposit cost of Rs.5000/- in the Bar Library within a period of one week from today.

Upon such deposit of amount and receipt produced before the Registrar (Judicial) the writ petition shall stand restored to its original position. Within two weeks thereafter the learned counsel shall remove the office objections so that the petition can be made ready for admission.

[SMT. BHARATI H. DANGRE, J.]

ssc/