

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

33 CIVIL APPLICATION NO.16543 OF 2022
IN WP/1439/1999

SHRAWAN SHIVNATH ADSULE AND OTHERS
VERSUS
BANNEKHAN YUSUFKHAN PATHAN AND OTHERS

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Advocate for Applicants : Mr. Jamdar Kiran T.
AGP for Respondent Nos.3 and 4 : Mr. K. B. Jadhavar
Advocate for Respondent No.2 : Mr. S. V. Natu
Advocate for Respondent No.1 : Mr. C. R. Deshpande

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CORAM : ARUN R. PEDNEKER, J.

DATE : 12th December, 2022

PER COURT :

1. The learned Advocate for the petitioners submits that the earlier another Advocate was appearing in the matter. Thereafter, when the Writ Petition No.1439 of 1999 and Civil Application No.5052 of 1999 were dismissed, it was not communicated to the petitioner and the petitioner is old person. There was a delay of 81 days in moving application for restoration.
2. Respondent No.1 is expired and the same is informed to this Court and it is recorded in the order dated 14/02/2020. Writ Petition 1439 of 1999 and Civil Application No.5052 of 1999 are restored to the extent of prayers against respondent No.2.

3. Civil Application No.16543 of 2022 stands allowed and disposed of. Delay of 81 days in filing restoration application stands condoned.
4. List the writ petition on 17/01/2023.

(ARUN R. PEDNEKER, J.)

vj gawade/-.