

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

923 CIVIL APPLICATION NO.2392 OF 2023

PARBHANNA POSHETTI DIED THROUGH LRS MAHADU PARBHANNA
DIED THROUGH LRS

VERSUS

THE COLLECTOR NANDED AND OTHERS

...

Advocate for Applicant : Mr. Padalkar Harshad H

AGP for Respondents State: Mr. S.W. Munde

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRAGADE, JJ.

DATE : 11th August, 2023

ORDER:

1. A Civil application is filed for seeking extension of time to remove objections pertaining to Court fees.
2. Writ Petition (St.) No. 1998 of 2018 was dismissed on 14.1.2019, for non removal of office objections. This Court [Coram: S.V.Gangapurwala (as his Lordship then was) & A.M.Dhavale, JJ] had passed an order on 29.03.2019, for restoring the Writ Petition on the condition that all office objections shall be removed within three weeks. Since the objections were not removed, the writ petition stood dismissed.
3. The learned AGP representing the respondents, vehemently opposes the application contending that on the first occasion, the writ petition was dismissed for non removal of office objections. On the second occasion, the Civil Application was allowed. Even that order is not complied with and hence, the laches cannot be countenanced.

4. We are informed that that the decree of the civil court had attained finality. Execution proceedings were given up mid way through, by the Petitioners. A representation was made before the District Collector and the Writ Petition (now dismissed in view of the above) was filed for seeking direction to the District Collector to decide the representation.

5. Taking into account the purpose for which the writ petition was filed, we do not find that any purpose would be served by restoring the writ petition and that too after a lapse of more than 4 years which is apparent on the face of record. For 4 years and 4 months, the order of this Court has not been complied with.

6. We do not find any ground set out in the civil application to consider the request for extending the time to remove the office objections. **The civil application is rejected.**

7. Needless to state, if the petitioners have any right vested in them, they would be entitled to espouse their cause before the appropriate court, provided there is no legal impediment. However, this may not be considered as the High Court having approved such a new limb of litigation for the petitioners.

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)