

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

48 WRIT PETITION NO.4008 OF 2022

KADUSINGH SUPDUSINGH PARDESHI AND ANOTHER
VERSUS
BHAURAO SADASHIV PATIL AND OTHERS

...

Advocate for the petitioners : Mr.R.L.Kute
AGP for Respondent-State : Mr.N.T.Bhagat
Advocate for Respondent nos.1, 3, 4 and 6 : Mr.S.S.Kulkarni

...

WITH

WRIT PETITION NO.4014 OF 2022
WITH CIVIL APPLICATION NO.9925 OF 2022
IN WRIT PETITION NO.4014 OF 2022

KADUSINGH SUPDUSINGH PARDESHI AND ANOTHER
VERSUS
BHAURAO SADASHIV PATIL AND OTHERS

...

Advocate for the petitioners : Mr.R.L.Kute
AGP for Respondent-State : Mr.N.T.Bhagat
Advocate for Respondent nos.1, 3, 4 and 6 : Mr.S.S.Kulkarni

...

WITH

WRIT PETITION NO.4016 OF 2022

GOKULSING DEVISINGH PARDESHI
VERSUS
HULSINGH BHIKUSINGH PARDESHI & OTHERS

...

Advocate for the petitioners : Mr.R.L.Kute
AGP for Respondent-State : Mr.N.T.Bhagat
Advocate for Respondent nos.1, 2A and 2B :
Mr.S.S.Kulkarni

...

WITH

WRIT PETITION NO.4012 OF 2022

GOKULSING DEVISINGH PARDESHI

VERSUS

HULSINGH BHIKUSINGH PARDESHI & OTHERS

...

Advocate for the petitioners : Mr.R.L.Kute

AGP for Respondent-State : Mr.N.T.Bhagat

Advocate for Respondent nos.1, 2A and 2B :

Mr.S.S.Kulkarni

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CORAM : ARUN R. PEDNEKER, J.**DATE : 20.09.2023****P.C. :**

1] Heard the learned counsel appearing for the parties.

2] The learned counsel for the respondents submits that the present Writ Petitions are filed against the order dismissing the revision petition for non removal of office objections on account of the default on the part of the petitioners. Thus, the learned counsel submits that the orders passed by the Tribunal are not on merits and the petitioners can file application for restoration of revision before the Tribunal.

3] In view of the submissions of the learned counsel appearing for the respondents, the learned counsel appearing for the petitioners seeks withdrawal of the present Writ Petitions with liberty to approach Tribunal to file restoration application.

4] The learned counsel for the petitioners submits that the time spent in prosecuting the present Writ Petitions may be excluded under Section 14 of the Limitation Act for computing the period of limitation in filing the appropriate application before the revisional Tribunal.

5] The petitioners are permitted to withdraw the present Writ Petitions with liberty to file restoration application before the Tribunal.

6] Writ Petitions are disposed of with liberty as aforesaid.

7] The time spent in prosecuting the present Writ Petitions would be excluded under Section 14 of the Limitation Act for computing the period of limitation in

filing the appropriate proceedings before the revisional authority. Interim order granted earlier in these Petitions would remain in force for three weeks so as to enable the petitioners to move appropriate application before the Tribunal. The Tribunal to decide the restoration applications as also revision on its own merits without being influenced by any of the observations made in this order.

8] The petitioners are permitted to move appropriate application for bringing the legal heirs of the deceased respondent no.2B, namely, Pandit Sahebrao Patil before the Tribunal. In view of the same, Civil Application for bringing the legal heirs of the deceased respondent no.2B does not survive and the same stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC