

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

**CIVIL APPLICATION NO.4766 OF 2023  
IN CP/122/2022**

**REHMAN JAFARSAB PATHAN  
VERSUS  
JAVED RAHIM MOGAL AND OTHERS**

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Advocate for Applicant : Mr. G. R. Syed  
AGP for Respondent – State : Mr. S. D. Ghayal

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**CORAM : MANGESH S. PATIL AND  
ABHAY S. WAGHWASE, JJ.**

**DATED : 10 APRIL 2023**

**PER COURT :**

This is an application for restoration of the contempt petition which has been dismissed in default by operation of the common order passed in number of matters on 25.07.2022, on failure of the petitioner to remove office objections.

2. Apart from the reasons mentioned herein in the application, the contempt petition shows that on 22.02.2022 itself, simple notice was directed to be issued to respondent no.2. It is thereafter that perhaps the matter was listed under the wrong caption and stands dismissed by virtue of the common order.

3. Be that as it may, application is allowed and the contempt petition is restored.

4. If the notice is not issued to respondent no.2 in the contempt petition, issue fresh notice to respondent no.2 in the contempt petition, returnable on 19.06.2023.

(ABHAY S. WAGHWASE, J.)

(MANGESH S. PATIL, J.)