

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

**CIVIL APPLICATION NO.4180 OF 2023
IN
WRIT PETITION NO.8715 OF 2022**

Annasaheb Chudaman Patil Memorial
Medical College, Dhule. ...Applicant

-Versus-

The State of Maharashtra and others. ...Respondents

...
Shri A.D. Sonkawade i/by Shri A.V. Hon, Advocate for the
Applicant.

Shri S.K. Tambe, AGP for Respondents 1 and 2/State.
Shri S.T. Solanke, Advocate for the original Petitioner.

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**CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.**

DATE :- 28th March, 2023

Per Court :-

1. This is an application praying for recalling of our order dated 24.02.2023.

2. The Applicant/ original Respondent No.4 had not responded to the notice of the Court and had not appeared in the matter. Despite specific allegations against the Medical College, which was under an obligation to meet such allegations by filing

an affidavit in reply, none caused an appearance on behalf of the Medical College thereby, compelling us to issue a bailable warrant.

3. This Civil Application has been filed by the Dean of the Medical College, who is present in the court. An apology has been tendered. Reasons have been cited as being the grounds for overlooking the notice of the High Court. Though we are not impressed by the reasons cited, we are entertaining this application since it is stated that, henceforth the College would not ignore a notice from the High Court or from any other Court.

4. The learned Advocate for the Applicant submits, on instructions, in the presence of Dr.Prashant Vinayakrao Solanke, Dean of the Medical College, that he desires to donate an amount of Rs.5,000/- (Rupees Five Thousand) to the Advocates' Association of Bombay High Court, Bench at Aurangabad.

5. The learned Advocate for the original Petitioner submits, in view of the above, that the order may be recalled and the College be directed to enter an affidavit in reply within a time frame.

6. The learned Advocate for the Applicant/ College submits that an affidavit in reply is tendered today itself.

7. In view of the above and in the light of the statement that an amount of Rs.5000/- would be donated to the Advocates' Association of Bombay High Court, Bench at Aurangabad, on or before 15.04.2023, paragraph 3 of the order dated 24.02.2023 stands recalled. **The Civil Application is, accordingly, allowed.**

8. List the Writ Petition on 10.04.2023 as per the scheduled date.

kps

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)