

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

CIVIL APPLICATION NO.3770 OF 2023
IN
CIVIL APPLICATION NO.3518 OF 2022
IN
WRIT PETITION NO.8361 OF 2017
WITH
WRIT PETITION NO.8361 OF 2017

**DATTATRAYA NARSINGRAO KHANDOBA
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

...
Advocate for the Applicant/Petitioner : Shri Mali Dayanand S.
AGP for Respondents 1 and 2/State : Shri V.M. Kagne
...

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

DATE :- 21st March, 2023

Per Court :-

(a) Civil Application No.3770/2023:-

1. The learned Advocate for the Applicant/ Petitioner has placed before the Court, an acknowledgment from the registry that the total amount of Rs.3,000/-, imposed as costs by two different Benches, more than three years ago, has been

deposited. The same (two pages) are taken on record and marked as “X” for identification.

2. Since the cost has been deposited and delay of 11 days is so minor that it can be ignored, **this Civil Application is allowed** in terms of the order passed by this Court (Coram : Mangesh S. Patil and Sandeep V. Marne, JJ.) dated 12.08.2022 in Civil Application No.3518/2020. Consequently, the Writ Petition is restored at the stage at which it was dismissed.

(b) Writ Petition No.8361/2017:-

3. Considering the order passed by this Court today in Civil Application No.3770/2023, this Writ Petition is restored.

4. The learned Advocate for the Petitioner submits, on instructions, that the Writ Petition was dismissed at the stage of issuance of notice. As almost six years have passed after the filing of the Writ Petition, the Petitioner desires to bring on record certain subsequent events and put forth proper pleadings with proper prayers. He, therefore, desires to withdraw this petition and file a fresh petition in the same cause and narrate subsequent events.

5. As such, **this Writ Petition is disposed off** as

withdrawn, on instructions, with liberty to prefer a fresh petition in the same cause and bring on record the subsequent events.

kps (SANJAY A. DESHMUKH, J.) (RAVINDRA V. GHUGE, J.)