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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1257 OF 2023
IN
WRIT PETITION NO. 5732 OF 2010**

Umakant Chandrakant Halkurki .. Applicant

Versus

The State of Maharashtra & Ors. .. Respondents

Mr. Prajakt Arjunwadkar for applicant.
Mrs. Nisha M. Mehra, AGP for respondent nos.1 and 2/State.
Mr. Sameer K. Sawant for respondent no.4.

**WITH
WRIT PETITION NO. 3412 OF 2021**

Umakant Chandrakant Halkurki .. Petitioner

Versus

The State of Maharashtra & Ors. .. Respondents

Mr. Prajakt M. Arjunwadkar for petitioner.
Mr. M. M. Pabale, AGP for respondent no.1/State.
Mr. Sameer K. Sawant for respondent no.2.

**CORAM: S. V. GANGAPURWALA, ACTING CJ. &
SANDEEP V. MARNE, J.**

DATE: FEBRUARY 15, 2023

P.C.:

INTERIM APPLICATION NO.1257 OF 2023:

1. The Writ Petition No. 5732 of 2010 was filed challenging the invalidation of the caste claim. The Division Bench of this Court under order dated 31st August, 2021 in Writ Petition No. 5732 of 2010 passed an order that the petition is notified as per the list of

matters received from the office of the learned Government Pleader to have become infructuous. As per notice dated 27th August, 2021 the advocate for the petitioner was directed to give the praecipe in case the petition has not become infructuous. No such praecipe was given by the petitioner. As such, the Division Bench of this Court under order dated 31st August, 2021 disposed of the petition as infructuous.

2. The present application is filed for restoration of the writ petition.

3. We have heard the learned counsel for the applicant, learned AGP for respondent nos.1 and 2 and learned advocate for respondent no.4.

4. Upon perusal of the factual matrix of the case and the challenge to the order of the Committee involved, it would be apparent that the matter does not become infructuous.

5. In light of that the present application is allowed and Writ Petition No. 5732 of 2010 is restored to its original position.

6. Interim Application disposed of.

7. Since the writ petition is restored to its original position, the learned AGP seeks time to get the record. The learned AGP shall get the record before the next date.

8. List the Writ Petition No. 5732 of 2010 on 21st March, 2023.

WRIT PETITION NO. 3412 OF 2021:

9. List the writ petition on 21st March, 2023.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)