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1074wp1619.03

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

1074 WRIT PETITION NO. 1619 OF 2003

AND

CIVIL APPLICATION NO. 10498 OF 2003

IN WP/1619/2003

BANKATSWAMI SHIKSHAN SANSTHA

.....Petitioner

VERSUS

DINKAR GOVINDRAO MASKE

.....Respondent

Mr. K. G. Salunke, Advocate for the respondent No.1

Mr. V. S. Badakh, AGP for the respondents/State

CORAM : KISHORE C. SANT, J.

DATE : 29th AUGUST, 2024

P. C.

1. Learned advocate for the respondent No.1 pointed out the orders of this court passed on the earlier occasions adjourning the matter by way of last chance at the request of the petitioner.

2. By order dated 09-10-2023 the court had issued notice to the petitioner, returnable on 06-11-2023. On 15-01-

2024, it was mentioned for the petitioner that he works work out the matter and again, it was adjourned to 06-02-2024. On 06-02-2024 the matter could not be reached and adjourned to 17-04-2024. On 17-04-2024, it is mentioned that 'office remark on board that notice issued to the petitioner is returned unserved for want of time' and the matter was adjourned to 01-07-2024. On 16-07-2024, this court directed the office to place the matter under the caption of 'final hearing' on today's board i.e. 29-08-2024 specifically at 02.30 pm.

3. Learned advocate for the respondent thus submits that petition is pending since 2003. While admitting the petition, this court had granted stay subject to deposit of the backwages by order dated 04-06-2003. He submits that till today no amount is deposited, neither respondent No.1 is reinstated in the service. Now the respondent No.1 has attained the age of superannuation. Though there is stay obtained, no steps are taken as per the condition granted by this court. He, thus, submits that matter needs to be dismissed for want of

prosecution.

4. Considering above, this court finds that the petitioner is not desirous of prosecuting the matter. The petition, therefore, stands dismissed for want of prosecution.

[KISHORE C. SANT, J.]

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