



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

**CIVIL APPLICATION NO. 2614 OF 2024
IN WPST/27164/2022**

BALAJI SHIVAJI WAD

VERSUS

**THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS**

...

Mr. Gautam Jaywant Karne, Advocate for Applicant.

Mr. N. S. Tekale, AGP for Respondent Nos.1 and 3.

...

**CORAM : SMT. VIBHA KANKANWADI AND
S. G. CHAPALGAONKAR, JJ.**

DATED : 06th MARCH, 2024.

P.C.

1. The present application is filed for condonation of delay of 374 days caused in filing the application for setting aside the order dated 09.01.2023 passed by the learned Registrar (Judicial) of this Court and for restoration of the Writ Petition.

2. Issue notice to the respondents. The learned A.G.P. waives notice for respondent nos.1 and 3. It is not necessary to issue notice to the other respondents, as the notice in the main petition was never directed and served on them.

3. It appears that, there were office objections in the Writ Petition filed by the petitioner and, therefore, the Writ Petition was listed alongwith other many such writ petitions before the learned Registrar (Judicial). It appears that, time was granted for the removal of office objections from time to time, but ultimately when the office objections were not removed, conditional order came to be passed by

granting two more weeks time for removal of office objections. The condition was put that if the office objections are not removed within the said period, the registration of the petition would stand automatically refused.

4. The learned Advocate for the petitioner submits that inadvertently he had not seen the board of the learned Registrar (Judicial) and, therefore, could not remove office objections within the stipulated period. He undertakes to remove those office objections now and, therefore, the application deserves to be allowed. However, taking into consideration the delay, cost deserves to be imposed. Hence, following order:

ORDER

- a. Civil Application stands allowed and disposed of.
- b. The order passed by the learned Registrar (Judicial) on 09.01.2023 stands set aside.
- c. Writ Petition (Stamp) No.27164/2022 is restored at its original stage.
- d. The office objections should be removed within a period of three weeks from today.
- e. The applicant to deposit cost of Rs.5000/- (Rs. Five Thousand only) in this Court within a period of one week from today. In case of non-compliance, the order passed by the learned Registrar (Judicial) would stand revived.

(S. G. CHAPALGAONKAR)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE