



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

**20 CIVIL APPLICATION NO. 3328 OF 2024 IN WP/4307/2023
WITH
WRIT PETITION NO.4307 OF 2023**

Mahatma Jyotiba Phule Backward Industrial Cooperative
Society Ltd Through Its President

VERSUS

The State Of Maharashtra Through Secretary And Others

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Advocate for Applicant : Mr. R.P. Dhase h/f S.K. Naikwade &
Mr. P.D. Digraskar

AGP for Respondents : Mr. S.K. Shirse

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

Dated : April 01, 2024

PER COURT :-

1. Present application has been filed for restoration of the petition and recalling of the order dated 9.1.2024.

2. Petitioner filed the petition for directions to enter the name of the petitioner-society in the list prepared by respondent no.1 to get economical assistance as per the Government policy. This Court by order dated 5.12.2023 granted permission to the petitioner to add some documents; which were necessary to support the claim. The petitioner says that he could not lay his hands on those documents and this Court by order dated 9.1.2024 passed conditional order in respect of removal of objections. The petitioner says that the documents were received by the petitioner on 29.1.2024 and, therefore, according to the petitioner, he could not remove office objections within time stipulated under the order passed by this Court on 9.1.2024.

3. In fact, without necessary documents, it appears that the petitioner had filed writ petition. Thereafter also sufficient time was granted to get the said documents. Three months have passed when it says that the petitioner could receive documents. Such practice of getting the documents at the later stage and in absence thereof also to file the writ petition deserves to be deprecated. However, now, since documents are stated to have been got from the appropriate source, the case is made out for restoring the writ petition. However, it would be subject to deposit of costs. Civil application therefore stands allowed. The order passed on 9.1.2024 is hereby recalled subject to deposit of costs of Rs.2,000/- (Rs. Two thousand) to the Library, Advocates Association of Bombay High Court, Bench at Aurangabad within a period of two weeks from today. The petitioner to submit documents alongwith the affidavit on or before 26th April, 2024.

4. Place the petition for further consideration on 29th April, 2024.

(S. G. CHAPALGAONKAR, J.) (SMT. VIBHA KANKANWADI, J.)

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aaa/-