



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

CIVIL APPLICATION NO. 1978 OF 2024 IN WP/1706/2021

Vidya Umeshrao Gaikwad

Versus

Durgadas Sunil Saindane And Anr

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Advocate for Applicant : Mr. L.V. Sangit

Advocate for Respondent 1 : Mr. Y. H. Jadhav h/f Girish Nagori

AGP for Respondent 2: Mr. S.K. Tambe

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**CORAM : RAVINDRA V. GHUGE AND
S. G. CHAPALGAONKAR, JJ.**

Dated : February 14, 2024

PER COURT :-

1. The Commissioner of the Municipal Corporation is present in the Court in view of the order of this Court dated 24.1.2024. Paragraph nos.1,2 and 3 of the said order are reproduced as under:-

“1. The petitioner has put forth a substantive prayer against Respondent No.1/Jalgaon Municipal Corporation. The Corporation was served with the first notice of this Court dated 29.1.2021. None appeared. Hence, a notice for final disposal was issued on 26.8.2022. The same is also served on the Corporation. Yet, none appeared.

2. The Petitioner is seeking compassionate appointment with the Corporation, and we find that we are handicapped in proceeding to decide this matter due to the non-cooperation of the Cooperation.

3. In view of the above, issue a bailable warrant in the sum of Rs.15,000/- to the

Commissioner of the Jalgaon City Municipal Corporation, to secure his presence on 14.2.2024.

2. It is stated in the civil application that, two clerks namely Shri Shekhar Mahajan and Shri Ganesh Sonar, who are in the inward Department are the persons, who have behaved casually. After our order was passed, the authorities of the Corporation have investigated and noticed that these two Clerks have received notices of the High Court, which are recorded in the inward register. Same was not brought to the notice of the Legal Cell and hence, the Municipal Commissioner also had no idea about the pending litigation. It is informed that show cause notices have been issued to these two clerks.

3. In view of the above, we direct that the Municipal Corporation shall deposit a sum of Rs.5,000/- (Rs. Five Thousand) within three (3) weeks from today. Let the Corporation deal with two clerks of the departments by following the due procedure laid down under law and initiate appropriate action.

4. In view of the above, the explanation is accepted and the order dated 24.1.2024 to the extent of issuing aailable warrant to secure the presence of the Commissioner of the Jalgaon City, Municipal Corporation, stands recalled. **Civil Application is disposed off.**

(S. G. CHAPALGAONKAR, J.)

(RAVINDRA V. GHUGE, J.)

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aaa/-(f)