



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO. 5183 OF 2018
IN WP/5895/2013**

PURNAVAD NAGARI SAHAKARI PATSANSTHA MARYADIT
SIRSOLI AND ANR
VERSUS
DIVISIONAL JOINT REGISTRAR, CO-OP SOC. NASHIK DIV.
AND ORS

...

Mr. Mahesh S. Deshmukh, Advocate for Applicants.

Mr. V. M. Jaware, AGP for Respondents-State.

Mr. J. R. Shah and Mr. M. M. Joshi, Advocate for Respondent No.3.

**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 19th JUNE, 2024.**

P.C.:-

1. Heard Mr. Deshmukh, learned Advocate appearing for the applicants and the learned Advocate appearing for the respondents.
2. It appears that inadvertent statement was made before this Court that respondent no.3 is no more. Consequently, a conditional order was passed to bring his legal heirs on record within a period of four weeks. Due to the non-compliance of such direction, writ petition is dismissed against respondent no.3.
3. It is submitted that respondent no.3 is very much available and writ petition deserves to be restored against him.
4. Considering the peculiar circumstances that the order dated 12.12.2013 is passed on the basis of inadvertent statement, the order needs to be recalled. Consequently, Civil Application is allowed in terms of prayer Clauses (A) and (B).

**(S. G. CHAPALGAONKAR)
JUDGE**