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

**939 CIVIL APPLICATION NO. 9015 OF 2024
IN WP/6265/2023**

**MANOHAR UDESING MAHALE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS**

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Mr S. C. Yeramwar, Advocate for Applicants;
Mr S. K. Tambe, Addl.G.P. for Respondents/State

**CORAM : RAVINDRA V. GHUGE
AND
Y. G. KHOBRAGADE, JJ.**

DATE : 20th September, 2024

PER COURT:

1. The Writ Petition was dismissed for default, after issuance of notices and appearance of the parties. Delay of 146 days is caused in filing this Civil Application, seeking restoration of the Writ Petition.

2. Heard the learned Advocates for the respective sides.

3. The Respondents oppose this Civil Application on the ground that the delay is not properly explained. In the alternative,

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they submit that heavy costs may be imposed upon the Applicants/Petitioners.

4. The learned Advocate for the Petitioners submits that the delay is of only 146 days. The Petitioner No.1 is a 'Police Naik' and Petitioner No.2 is a student. Their claims have been invalidated and Petitioner No.1 is likely to lose employment. He, therefore, desires to deposit Rs.500/- as donation to the Advocates' Association of Bombay High Court at Aurangabad.

5. For the reasons stated in the Application and in view of the above, **this Civil application is allowed.** Delay is condoned. All office objections in the Writ Petition shall be removed on or before 04/10/2024. Thereafter, the Writ Petition would be restored at the stage, at which it was dismissed.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

sjk