



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

**CIVIL APPLICATION NO. 9006 OF 2023
IN
WP NO.13984 OF 2018**

Digambar Vitthalrao Dhawle
....Applicant

VERSUS

The State Of Maharashtra Through It's Principal Secretary And
Others
.....Respondent

.....

WITH

WRIT PETITION NO.13984 OF 2018

Digambar Vitthalrao Dhawle
....Applicant

VERSUS

The State Of Maharashtra Through Its Principal Secretary And
Others
.....Respondent

.....

Advocate for Applicant : Mr. M.P. Bhaskar h/f Mr. R.D. Biradar
AGP for Respondent s : Mr. N.S. Tekale
Advocate for Respondent 3 : Mr. V.D. Gunale

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

Dated : January 05, 2024

PER COURT :-

1. Present application has been filed for recalling of the order dated 22.6.2022 passed by this Court in writ petition no 13984 of 2022 by condoning the delay of 235 days. It appears

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that common order was passed by this Court in respect of those matters where office objections were there. It was a conditional order granting time to the petitioners to remove the office objections and, in case of failure, their dismissal was contemplated. Advocate for the applicant appears to have been under some misconception and, therefore, he did not remain present and it is categorically stated that due to mistake of the advocate, petition came to be dismissed.

2. For the reasons stated for the delay, the application though strongly objected by the respondents, deserves to be condoned and therefore civil application stands allowed and disposed off in terms of prayer clause "B".

3. Taking into consideration the fact that writ petition is pending for directions since 2018. We have heard the parties. The main and only prayer in the writ petition is thus :-

"B. Kindly be direct to the respondent no.2 to decide the complaint /representation dated 28.12.2017 and 4.7.2018 made by the petitioner."

4. Though, it appears that respondent no.3 has his own say, he can brought the respondent no.2 and respondent no.2 may consider his say also. It appears that the petitioner has filed complaint/representation dated 28.12.2017 and 4.7.2018, and, therefore, it should be decided by the respondent no.2 as per the provisions of law. Hence, petition stands disposed of with the direction to respondent to decide those representations as per the provisions of law within a period of six (06) months
aaa/-

from today. Respondent no.2 may give an opportunity to respondent no.3 of hearing.

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