



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

912 CIVIL APPLICATION NO.14922 OF 2023
IN WPST/7326/2022

NALANDA VIDYARJAN SHIKSHAN SANSTHA, THROUGH ITS SECRETARY
YASHWANT KISHANRAO BIRADAR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mr. D.S. Mali, Advocate for petitioners

Mr. N.S. Tekale, AGP for respondent Nos.1, 2, 3 and 5

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

DATE : 24th JANUARY, 2024

ORDER :

1 Present application has been filed for condonation of delay of 462 days in filing application for restoration of the writ petition. It appears that there were office objections and for removal of those office objections time was granted. Thereafter by order dated 13.06.2022 the learned Registrar (Judicial) gave further time and it was the conditional order. It was stated that if the office objections are not removed within two more weeks the petition would stand dismissed automatically.

2 Learned Advocate for the petitioners submits that inadvertently he could not notice the said order dated 13.06.2022 passed by the learned Registrar (Judicial). He submits that he is ready to remove the office objections.

3 Issue notice to respondents. Learned AGP waives notice for respondent Nos.1 to 3 and 5. Since the other respondents were not even issued notice at earlier stage, there is no necessity to issue notice to them.

4 Taking into consideration the reasons stated, the delay stands condoned, subject to deposit of costs of Rs.2,000/- (Rupees Two Thousand only), to be paid to Library of Bar Association of Bombay High Court at Aurangabad, within a period of one week. Thereupon the writ petition would be restored. The office objections to be removed within a period of two weeks thereafter. In case of failure, the writ petition would stand dismissed automatically, without further reference to the Court.

(S.G. CHAPALGAONKAR, J.)

(SMT. VIBHA KANKANWADI, J.)