



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

**CIVIL APPLICATION NO. 13494 OF 2024
IN CRA/225/2016**

**EXECUTIVE ENGINEER, MAHARASHTRA JEEVAN
PRADHIKARAN WORKS DIVISION AT AURANGABAD**

VERSUS

**MASJID GRAVEYARD, DARGAH SHAH NASSERUDDIN AND
SK. CHANDCHILLA MEHBOOB SUBHANI AND OTHERS**

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Mr. Vinod Prakash Patil, Advocate for Applicant.

Mrs. Anjali B. Dube, Advocate for Respondent No.3.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 13th DECEMBER, 2024.**

P.C.:-

1. The present application is moved seeking recall of the order dated 21.03.2024 passed in Civil Revision Application No.225/2016 by which application has been dismissed against original respondent no.1 for want of steps.
2. Mr. Patil, learned Advocate appearing for the applicant submits that inadvertently steps could not be taken and he would immediately take steps for service against respondent no.1.
3. Considering submissions advanced, application is allowed subject to condition that applicant deposits cost of Rs.2000/- to the Advocates' Bar Library at Bombay High Court bench at Aurangabad within a period of two weeks and also takes necessary steps for service of notice against respondent no.1 within a period of one week.

4. In addition to Court notice, applicant shall be at liberty to serve respondent no.1 by any other alternate mode as permissible under law and file affidavit of service before the returnable date.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/December-2024