



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CIVIL APPLICATION NO. 39 OF 2024

IN

WRIT PETITION NO. 5004 OF 2016 (D)

(Union of India and others ..vs.. Gudar Yethi Rajulu and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S.A. Chaudhari, Counsel for the petitioners,
Mr. R.V. Shiralkar, Counsel for respondent Nos.1,3 to 21 & 23 to 26.

**CORAM : NITIN W. SAMBRE &
ABHAY J. MANTRI, JJ.**

DATED : 09-01-2024

The prayer in the application for grant of extension to comply with the judgment delivered by this Court on 18th July, 2023 in Writ Petition No. 5004/2016.

2. Mr. S.A. Chaudhari, learned Counsel appearing for the petitioners submits that even if this Court has observed that in the earlier round the Union of India have been approached before the Apex Court and Special Leave Petition was dismissed on 22nd February, 2023 of which note was taken by this Court while deciding the aforesaid writ petition, the fact remains that the petitioners have taken out another Miscellaneous Application seeking modification of the order passed by the Apex Court. According to him, since the issue in one of the similar matter is pending vide Miscellaneous Application before the Apex Court, it is necessary to grant extension to comply with the judgment of this Court, in

the interest of justice. The prayer is opposed by the original petitioners/non-applicants herein as according to them, the judgment is self explanatory and considering the relief claimed, the Court had already directed that the compliance to be made within a period of eight weeks.

3. We have considered the submissions.

4. The fact remains that the judgment of which the extension for compliance is sought was delivered on 18th July, 2023. As far as this very judgment is concerned, same is not subject matter before the Apex Court.

5. The applicants are relying on the prayer for modification moved in some different Miscellaneous Application. However, this Court is required to be sensitive to the fact that the Special Leave Petition has already been dismissed on merit.

6. In this background, we hardly see any reason to grant extension to comply the judgment as has been prayed by the applicants.

7. Apart from above, this Court is also required to be sensitive to the observations made by this Court qua the decision of the Delhi High Court and the dismissal of the Special Leave Petition preferred by the applicants and the time bound directions given by this Court for compliance of the judgment.

8. That being so, the application being devoid of merit, stands rejected.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)

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