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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

28 WRIT PETITION NO. 937 OF 2025

SHRIMATI RABIYA BEGUM AND OTHERS

....Petitioners

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE SECRETARY
AND OTHERS

.....Respondents

Mr. M. J. Murkute, Advocate for the petitioners

Mr. G. R. Syed, Advocate for the respondent No.3

CORAM : KISHORE C. SANT, J.

DATE : 05th MARCH, 2025

P. C.

1. Mr. Syed, learned advocate informs that he has received instructions to appear for respondent No.3.

2. Heard the petitioner and the respondents.

3. The petition is filed challenging the order dated 08-01-2025 rejecting the application of the petitioner for setting aside no say order and to file the say on record alongwith

application. The learned SDO, Chh. Sambhajanagar however, rejected the said application only saying that in spite of several chances the petitioner has not taken steps.

4. The learned advocate for the petitioner submits that in fact he was absent only on one day i.e. 25-09-2024. The petitioner was always ready to participate in the proceeding as it is given this opportunity to take part in the hearing of the matter. If say is taken on record, no prejudice would be caused to any of the parties. He, thus, prays for setting aside the impugned order.

5. The learned AGP supports the order. He submits that the petitioner happens to be third person intervenor. It was expected of him to be ready with the say and written submission. He, opposed the petition.

6. The learned advocate for the respondent No.3 also opposed the petition.

7. However, considering that the petitioner was absent only on one day, it would be appropriate in the interest of justice to give him proper opportunity. In view of the same, following order:

ORDER

- i] The writ petition stands allowed.
- ii] The application filed by the petitioner dated 08-01-2025 (Exh.-A) stands allowed. Say be taken on record.
- iii] It is made clear that the parties shall not seek unnecessary adjournment.
- vi] The SDO, Chh. Sambhajinagar to decide the proceeding within three months from today.
- vii] With this, the writ petition stands disposed off.

[KISHORE C. SANT, J.]