



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

**CIVIL APPLICATION NO. 2226 OF 2025
IN WP/1211/2004**

ARUN BHILA PATIL (DIED) THROUGH LRS VASANTI ARUN PATIL AND
OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND
OTHERS

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Ms. Apoorva Songire, Advocate h/f Mr. V. P. Latange, Advocate for
Applicant

Ms. P.V. Diggikar, AGP for Respondents/State

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CORAM : MANJUSHA DESHPANDE, J.

DATE : 25th FEBRUARY, 2025

PER COURT :

1. Present civil application has been filed by the legal heirs of petitioner for recalling earlier order of abatement dated 20/09/2024 passed by this Court. Also, there is a delay of 620 days caused in filing present civil application.

2. It is the contention of applicants that in present writ petition legality and validity of order dated 18/12/2003 passed by the Presiding Officer, University and College Tribunal, Aurangabad, in Appeal No.NMU-11/2002 is challenged. As certain law points are raised in the writ petition, rights of petitioner would still survive even after he has expired on 11/03/2023. Applicants submit that they were not aware about the present proceedings and after death of petitioner they required some time to obtain heirship certificate from the Civil Judge, Junior Division, Dhule. Therefore, delay of 620

days is caused in preferring present civil application for restoration of writ petition.

3. Considering that the delay has been properly explained by applicants and substantial rights of applicants are involved in the writ petition, the civil application is allowed by condoning the delay of 620 days. Writ petition is restored to its original stage, by recalling the order of abatement dated 20/09/2024. Civil application stands disposed of.

4. Applicants to take steps within a period of two weeks from today.

(MANJUSHA DESHPANDE, J.)