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20-CA-2951-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

20 CIVIL APPLICATION NO. 2951 OF 2025
IN WP/8841/2013

Ramesh Ramnarayan Dangra Died Thr Lrs Sunil Ramesh Dangra And
Others

VERSUS

The Sub Divisional Officer, Sangamner And Others

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Mr. Mohit Rajendra Malpani, Advocate for Applicants.

Mr. K. N. Lokhande, AGP for Respondent-State.

Mr. B. V. Dhage, Advocate for Respondent No. 3A to 3F.

CORAM : KISHORE C. SANT, J.

DATE : 21st MARCH 2025

PC :-

1. Heard the learned Advocate for the parties.
2. This application is filed for restoration of the Writ Petition No.8841 of 2013 by recalling the order dated 11th November 2024 dismissing the petition for default.
3. It is stated that the learned Advocate for the petitioners appearing then did not inform the order to the applicants and it is for this reason, they could not get the knowledge. Therefore, there is delay of 85 days caused in filing the application.

4. Learned Advocate Mr.Dhage vehemently opposed the application. He has filed affidavit in reply placing on record the earlier orders. The earlier orders show that on 7th June 2019, this Court had passed a conditional order dismissing the petition without further reference to the Court. By order dated 12th December 2019 in Civil Application No.14641 of 2019, the petition was restored subject to costs of Rs.11,000/- to be paid to the orphanage home, Taluka Shirur Kasar Dist. Beed. From order dated 28th June 2023, it seems that the matter was adjourned by way of last chance to 19th July 2023. Order dated 3rd August 2023 shows that the status quo granted by this Court by order dated 22nd October 2013 stood vacated. On 11th November 2024, this Court again dismissed the writ petition for default. The learned Advocate, thus, submits that the petitioner is only prolonging the petition and is not seriously arguing the petition.

5. However, considering that the rights of the applicants-petitioners are involved, this Court inclined to allow the application subject to depositing the costs of Rs.25,000/- to be paid to the Respondents No. 3A to 3F within two weeks from today. Subject to that, petition stands

restored to its original position.

6. After restoration, place the writ petition on board dated 13th April 2025, in urgent admission category.

7. No party shall seek any adjournment on that day and work out the matter.

[KISHORE C. SANT, J.]