

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.15206 OF 2024
IN
WRIT PETITION (ST) NO.837 OF 2024

Anandrao Shamrao Panke .. Applicant

Versus

The State of Maharashtra through its .. Respondents
Chief Secretary & Ors.

...

Mr.C.K.Bhangoji for the Applicant/Petitioner.

Mr.N.C.Walimbe, Addl. Govt. Pleader with Ms.P.B.Chavan,
A.G.P. for the State/Respondent.

...

**CORAM: BHARATI DANGRE &
ASHWIN D. BHOBE, JJ.**

DATED : 10th JANUARY, 2025

P.C:-

1. Writ Petition (St) No.837 of 2024 came to be dismissed, as on the objections being notified to be removed within the stipulated period, the same were not removed.

2. Heard the learned counsel for the Applicant and perused the Application.

The Writ Petition is filed raising the challenge to the impugned communication dated 14/10/2021 issued by Respondent No.4 and consequential impugned decision dated

06/12/2021 taken by Respondent No.5, thereby directing to recover the amount from the gratuity of the Petitioner.

On 05/08/2024, the Writ Petition was notified before the Registrar (Judicial-I) for non-removal of the office objections and conditional order came to be passed by granting two weeks time to remove the office objections and failure of the Petitioner to do so, resulting into dismissal of the Petition without further reference to the Court. It is submitted that the Advocate for the Petitioner could not notice the Writ Petition on the Registrar's Board on 05/08/2024 and gained the knowledge about its dismissal in the month of November 2024, when the Applicant verified the status of the Writ Petition. The present Application came to be preferred thereafter, which has occasioned delay of 75 days.

Since, we are satisfied with the bonafides of the Applicant/Petitioner and are of the opinion that the delay is not intentional, Interim Application No.15206 of 2024 is made absolute in terms of prayer clauses (b) and (c).

Writ Petition (St) No.837 of 2024 is restored to its file.

The Petitioner is directed to remove the office objections within a period of three weeks from today.

3. List the Writ Petition on 24/02/2025.

(ASHWIN D. BHOBE, J.)

(BHARATI DANGRE, J.)