IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.11915 OF 2026
IN WP/5301/2026

NIRMALA MADHUKAR DENGLE AND OTHERS
VERSUS
THE DEPUTY COLLECTOR LAND ACQUISITION AND OTHERS

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Advocate for Applicants : Mr. R. V. Gore.
AGP for Respondent/s-State : Ms. Dr. Kalpalata Patil Bharaswadkar.
Advocates for Respective Respondents : Mr. S. K. Shinde, Mr. V. S. Bedre, respectively.
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CORAM : MANJUSHA A. DESHPANDE, J.
DATE : 15.10.2026

PER COURT :-

1. This application has been filed by the applicants for recall of the order passed by this Court on 23.06.2026. This Writ Petition was heard for admission on 12.05.2026 and by issuing notice, this Court has granted interim relief by way of directing the parties to maintain *status quo* which was continued till 23.06.2026.

2. Learned advocate for the applicants submits that, when the matter was listed on 23.06.2026, it was listed in order matter category and order came to be passed by this Court directing the petitioners to take steps within a period of four

weeks from the date of order, failing which, the Writ Petition stands dismissed without reference to the Court. According to him, inadvertently he failed to take note of the said order. As a result, he could not take steps for removing the objections. It is only when a notice was received by him on 07.10.2026 informing that, the Tahsildar is about to execute the order on 04.09.2023. He got the knowledge about dismissal of the Writ Petition pursuant to the conditional order. Hence, he has immediately moved the present Civil Application. According to him, due to sheer inadvertence, he could not take note of the conditional order passed by this Court and take steps against the unserved respondents. Hence, there is delay caused which has resulted in dismissing the Writ Petition.

3. The prayer made by the applicants is opposed by the learned advocate appearing for respondent Nos.4 to 6, who are the original applicants before the Tahsildar and submits that, there are two consecutive orders that have passed against the petitioner hence, he is opposing the restoration of the Writ Petition.

4. I have heard the respective parties and perused the papers placed on record as per the order passed by this Court on 23.06.2026, the four weeks' time was granted to the

petitioners to remove the office objections. He could not take appropriate steps by serving the unserved respondents. Therefore, the order of dismissal has been passed. Since the applicants have filed an affidavit that they were not aware of the order passed on 23.06.2026 and due to oversight, they could not take steps. Therefore, Civil Application deserves to be allowed by condoning the delay of 48 days.

5. Civil Application is allowed in terms of prayer clauses “B, C and D”.

6. List the matter for admission on 19.11.2026 in urgent category.

(MANJUSHA A. DESHPANDE, J.)

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vmk/-