

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**REVIEW PETITION NO.5 OF 2015
IN
FIRST APPEAL NO.705 OF 2010**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr.Nitin P. Dalvi i/b Mr.Abhaysingh A. Shinde
for the petitioner

Mr.Rahul Walvekar for the respondent

CORAM : K.K.TATED, J.
DATED : 07/08/2015

PC:

- 1 Not on board. At the request of Advocate for the petitioner, matter is taken on board.
- 2 This petition is preferred by defendant for review of the order dated 30.1.2015 passed by this court in Civil Application No.4154 of 2015 in First Appeal No.705 of 2010 by which Civil Application No.4154 of 2015 was dismissed for not taking appropriate steps for bringing legal heirs on record of sold defendant. Subsequently, the petitioner preferred Civil Application No.1420 of 2015 for bringing legal heirs on record. That application was allowed by this court.
- 3 Considering the submissions made by the

learned counsel for the petitioner and subsequent order passed by this court in Civil Application No.1420 of 2015, I am satisfied that the petitioner has made out a case for allowing this Review Petition. Hence, following order:

- a) Order dated 30.1.2015 passed by this court in Civil Application No.4154 of 2014 is recalled.
- b) Review Petition is allowed accordingly.

(K.K.TATED, J.)