

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

CIVIL APPLICATION NO. 2682 OF 2009

IN

WRIT PETITION NO. 7193 OF 1999

Devkisan Gangavishnu Jakhotia ..Applicant

Vs.

Sheshmal Hajarimal Oswal ..Respondent

....

None for Applicant.

Mr. Rajesh Datar, Advocate i/b Dushant Pagare for Respondent.

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CORAM : N.M. JAMDAR, J.

DATED : 07 APRIL 2015

P.C.:

Peruse the application. Cogent reasons are stated therein why the order dated 11 March 2002 could not be complied with and the petition was dismissed for non prosecution. Reply has been filed. I have heard the learned Counsel for Respondent. The companion Writ Petition No. 7194/1999 which was similarly dismissed, has been restored by this Court.

2. The Civil Application is allowed in terms of prayer clause (a) to (d). Necessary amendments to be carried out within a period of four weeks from today. Since the Writ Petition No. 7194/1999 was restored subject to cost of Rs.7,500/-, the applicant herein will also pay cost of Rs.7,500/- to the respondents.

(N.M. JAMDAR, J.)