

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1111 OF 2015
IN
WRIT PETITION NO.345 OF 2008

1. Mrs Suman Rasiklal Mehta (Deceased).	]	
2. Mr. Kiran Rasiklal Mehta.	]	... Applicants

Versus

Free Trade Unions Multipurpose Projects	]	
Trust and Ors.	]	... Respondents

Mr. Kiran Rasiklal Mehta, Applicant No.2, present in person.
 Mr Rohaan Cama a/w Mr. Gaurav Mehta i/b M/s. Bachubhai Munim
 & Co. for Respondent No.1.
 Mr. A. D. Kango, A.G.P., for Respondent Nos.2, 4 and 5.

CORAM :- M. S. SONAK, J.
DATE :- APRIL 30, 2015

P. C. :-

1. Mr. Kiran Rasiklal Mehta, the Applicant No.2, who is a practicing Advocate, has appeared in person in support of this application which seeks a recall of the order dated 18/04/2015, by which this petition was disposed of in the absence of the Petitioner and his Advocate.

2. Mr. Mehta submitted that 18/04/2015 was a Saturday, on which day normally this Court does not function. Further, the Advocate engaged to appear in the matter was also bedridden and therefore could not attend to the matter.

3. In the application, there are several other grounds raised urging the recall of the order dated 18/04/2015. The learned Counsel for Respondent No.1 states that they do not accept any of the allegations contained in the Civil Application and that they would proceed in the matter on the basis of denial. However, it is not necessary to advert to the several allegations, since on the basis of the contentions raised by Mr. Mehta, I am satisfied that interest of justice requires that the order dated 18/04/2015 is recalled and opportunity is afforded to Mr. Mehta to make his submissions on the merits of the petition.

4. Accordingly, the order dated 18/04/2015 is recalled. The petition is restored to the file and Mr. Mehta is permitted to advance submissions on the merits of the petition.

5. Civil Application is accordingly made absolute in terms of prayer clause (a) and disposed of accordingly.

(M. S. SONAK, J.)