

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

**CIVIL APPLICATION NO. 2415 OF 2014
IN
WRIT PETITION NO. 3591 OF 2013**

Shri Sanjaykumar s/o Shri Sultan Singh .. Applicant

Vs.

Union of India,
through Secretary, Government of India,
Ministry of Home Affairs & Ors. .. Respondents

Mr. D.S. Kauntae for the Applicant.
Ms. A.S. Rao a/w Mr. A.R. Varma for Respondent No.1.

**CORAM : A.A. SAYED, J.
DATED : 27 MARCH 2015.**

P.C.

1 The Civil Application is taken out to recall the order dated 11 November 2013 passed in Writ Petition. The order dated 11 November 2013 reads as follows :-

“Learned Counsel for the Petitioner seeks leave to withdraw the Petition with liberty to challenge the order of the Director General, C.R.P.F., New Delhi.

2. The Petition is allowed to be withdrawn with liberty as prayed.

3. Registry to issue an authenticated copy of this order to the learned Counsel for the Petitioner.”

2 Petitioner has averred in the present Application that after withdrawing the aforesaid Petition, the Petitioner filed a fresh Petition

before the Division Bench of the Delhi High Court and by an order dated 27 March 2014, the Delhi High Court had dismissed the Petition on the ground of Territorial jurisdiction. The Petitioner has, therefore, approached this Court again by way of the present Civil Application for revival of the Writ Petition No.3591 of 2013.

3 Learned Counsel for the Petitioner submitted that it was an inadvertent and unintentional bonafide mistake of the Petitioner in withdrawing the Writ Petition and in view of the order of the Division Bench of the Delhi High Court dismissing the Petition on the ground of Territorial jurisdiction, the order dated 11 November 2013 may be recalled.

4 Having heard the learned Counsel for the parties, in the interest of justice, I am inclined to allow the Civil Application. Hence, the Civil Application is allowed in terms of prayer clause (a).

5 Office to verify and place the Writ Petition before the appropriate Bench.

(A.A. SAYED, J.)