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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1856 OF 2015
IN
CIVIL APPLICATION NO.371 OF 2015
IN
SECOND APPEAL (STAMP) NO.32631 OF 2014

Andru S. Fernandis	...Applicant
V/s.	
The State of Maharashtra & Ors.	...Respondents

Mr.Vinod Sangvikar i/b Mr.Umesh Mankapure for the Applicant.

Mr.Rajan Pawar, A.G.P. for the Respondent Nos.1 to 3.

CORAM : R.D. DHANUKA, J.
DATE : 4TH DECEMBER, 2015.

P.C. :-

1. By this civil application, the applicant seeks recall of the order dated 23th September, 2015 passed by this Court dismissing the civil application for condonation of delay and consequently the second appeal. This Court has also dismissed the Civil Application No.372 of 2015 which was for stay in view of the dismissal of the second appeal. For the reasons recorded in the civil application, the order dated 23rd September, 2015 passed by this Court is recalled. Civil Application No.371 of 2015 for condonation of delay is restored. Second Appeal as well as Civil Application No.372 of 2015 are also

restored to file. The civil application is disposed of in aforesaid terms.

2. Place Civil Application No.371 of 2015 on board for hearing and final disposal on 15th January, 2016. The respondents are directed to file affidavit in reply on or before 25th December, 2015 and serve a copy thereof upon the applicant's advocate simultaneously. Civil Application No.372 of 2015 can be heard in the event of this Court allowing Civil Application No.371 of 2015.

(R.D. DHANUKA, J.)