

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

**CIVIL APPLICATION NO.221 OF 2015
IN
MISC. CIVIL APPLICATION NO.68 OF 2015**

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.Sunil Jayakar i/b Mr.Mihir S. Jayakar for
the applicant
Mr.H.P.Vyas for the respondent

CORAM : K.K.TATED, J.
DATED : 21/10/2015

PC:

- 1 Heard the learned counsel for the parties.
- 2 By consent of both the parties, matter is taken on board for final disposal.
- 3 This application is preferred by husband for recalling the order dated 17.10.2015 passed by this court in Misc. Civil Application No.68 of 2015 by which the application filed by respondent wife under section 24 of the Code of Civil Procedure, 1908 was allowed.
- 4 The learned counsel for the applicant submits that on that date immediately he has mentioned the matter but by that time the order was passed by this court. Hence, this court directed applicant

to prefer appropriate application for recalling the said order.

5 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

- a) Order dated 17.10.2015 passed by this court (Coram: K.K.Tated, J.) in Misc. Civil Application is recalled.
- b) Misc. Civil Application No.68 of 2015 is restored on file for hearing on its own merits.
- c) Civil application stands disposed off accordingly.

(K.K.TATED, J.)