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IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 4544 OF 2013
IN
CIVIL APPLICATION NO. 3744 OF 2008
IN
FIRST APPEAL NO. 180 OF 2001

Anis Ahmed Nazir Ahmed Shaikh .. Applicant

Vs.

Afzal Husein Nazir Ahmed Shaikh

Since deceased through Lrs.

1A. Mr.Anwar Hussain Afzal Hussain and others .. Respondents

Mr.Dilip Bodake, Advocate for the Applicant.

CORAM : R. G. KETKAR, J.

DATE : 17th APRIL, 2015

P.C. :

. Heard Mr.Dilip Bodake, learned Counsel for the applicant. He submits that all the respondents are duly served.

2. This is an application for recalling order dated 30/08/2013 passed by this Court in Civil Application No. 3744 of 2008 after condoning the delay of 43 days in filing the Civil Application.

3. By order dated 30/08/2013, Civil Application No. 3744 of 2008 was dismissed for non persecution. For the reasons stated in the application, I am satisfied that applicant has made out a sufficient cause for recalling the order. Hence, Civil Application is

allowed in terms of prayer clauses (a) & (b) with no order as to costs. Civil Application No. 3744 of 2008 is restored to the file of this Court. Civil Application No. 3744 of 2008 is to be listed for orders on 19/06/2015.

(R. G. KETKAR, J.)