

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Misc. C.A. No. 312 of 2015 in M.C.A. No. 1117 of 2013 in W.P.No.329 of
2013

Bhimrao s/o Ramji Gedam vs. The State of Maharashtra and another.

Notes, Office Memoranda of

Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's
Orders.

Shri S.T.Godbole, Adv. for the applicant.

CORAM : B.P.DHARMADHIKARI &
S.B.SHUKRE, JJ

DATE : 31.3.2015

Prayer is to recall the order dated 13.1.2015 and restore the Misc. C.A.No. 1117 of 2013 back to file. Prayer in Misc. C.A.No. 1117 of 2013 is to recall the order dated 10th September, 2013 and restore the Writ Petition No. 329 of 2013 back to file.

Misc. C.A.No. 312 of 2015 is within time. After hearing the learned counsel for the petitioner and Ms. T. Khan, learned AGP for non-applicant no.1, we grant request made therein. Accordingly, the order dated 13.1.2015 is recalled and the Misc. C.A.no. 1117 of 2013 is restored back to file.

Misc. C.A.no. 1117 of 2013:

This Court has today restored this Misc. Civil Application while allowing the Misc. C.A.No. 312 of 2015. This Misc. Civil Application seeks to recall the order dated 10th September, 2013 by which W.P.No. 329 of 2013 was dismissed because nobody appeared for the petitioner continuously on 2-3 dates. The application shows that the listing of the matter escaped attention of the learned counsel. It is supported by personal affidavit. We do not see any mala fides. Hence, the order dated 10.9.2013 is recalled and Writ Petition No. 329 of 2013 is restored to file.

Writ Petition No. 329 of 2013:

Heard the learned counsel for the petitioner. One of the contentions is that the appeal against the order of punishment has been decided by the respondent no.1 by an unreasoned order. Notice returnable on 16th June, 2015.

Ms T. Khan, learned AGP waives notice for respondent no.1.

JUDGE**JUDGE**

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