

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 590 OF 2016
IN
WRIT PETITION NO. 1868 OF 2016**

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. Sushant Prabhune i/b Abhijit S Deshmukh, Advocate for Applicant.

CORAM : R.G.KETKAR,J.

DATE : 25/04/2016

PC:

1. Heard Mr. Sushant Prabhune, learned counsel for the petitioners.

2. By this Application, the applicant has prayed for recalling the order dated 12.2.2016 passed by this Court in Writ Petition No.1868 of 2016. By that order, the applicant was permitted to withdraw Writ Petition with liberty to file Appeal from Order as Order 43, Rule 1 (w) of C.P.C provides for an appeal against an order passed allowing the application for review under Order 47 Rule 4 of C.P.C.

3. Mr. Prabhune has invited my attention to Order 43, Rule 1 (w) as

applicable to Bombay High Court. By Bombay High Court Notification No. P. 6224/60 dated 30.9.1966, clause (w) of Rule 1 of Order 43 is deleted. In view thereof, there is no remedy of filing Appeal from Order against the order passed under Order 47, Rule 4 granting application for review.

4. Hence, order dated 12.2.2016 is recalled. Writ Petition No.1868 of 2016 is restored to the file to its original position. Order accordingly.

(R.G.KETKAR, J.)