

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.13465 OF 2016

(Jailani Abdul Mulani Vs. Dastagir Abdul Mulani and others)

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. Pramod J. Pawar for Petitioner.

Mr. Hassnain Kaazi Sayyed for Respondents.

CORAM : R. G. KETKAR, J.**DATE : 06TH DECEMBER, 2016****P.C.:**

Not on Board. At the request of Mr. Pawar, learned Counsel for petitioner, taken up in the production Board.

2. By this Petition under Article 227 of the Constitution of India, petitioner has challenged the order dated 13.07.2000 passed by the learned Civil Judge, Senior Division, Baramati. By that order, the learned trial Judge dismissed the Execution Petition in default for not taking steps. It is common ground between the parties that petitioner has not filed application for recalling order dated 13.07.2000 thereby restoring Execution Petition in the trial Court.

3. In view thereof, reserving liberty to the petitioner to file application for recalling order dated 13.07.2000 for restoration of the Execution Petition in the trial Court,

Petition is dismissed. It is made clear that I have not examined merits of the case. In case petitioner applies for restoration of the Execution Petition, the learned trial Judge will pass order in accordance with law. Order accordingly.

(R. G. KETKAR, J.)

Minal Parab