

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

**CIVIL APPLICATION NO. 938 OF 2016
IN
WRIT PETITION NO. 2253 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. Diwakar Dwivedi for the Applicant.

Mr. P. J. Thorat for the Respondent.

CORAM : K. K. TATED, J.

DATED : 11/04/2016

P.C.:

. Heard learned Counsel for the parties.

2 This application is for recalling the order dated 29.03.2016 passed by this court in Writ Petition No. 2253 of 2016 by which the Writ Petition disposed of in terms of minutes of order.

3 The learned counsel for the applicant submits that inadvertently and over sight, he signed the minutes of order dated 29.03.2016 in the present Writ Petition along with other Writ Petitions, which were on board on that date. He submits that in the interest of justice, this Hon'ble Court be pleased to recall the order dated 29.03.2016 and restore the Writ Petition No. 2253 of 2016 on file for hearing on its own merits by issuing notices to the

respondent. He submits that the present Civil Application duly affirmed by Advocate himself.

4 Considering the submissions made by the learned counsel for the Applicant and reasons given in paragraphs 3 and 4 of the Civil Application, I am satisfied that the Applicant has made out a case for recalling the order dated 29.03.2016.

5 Hence, following order is passed:

a) Order dated 29.03.2016 passed by this Court (Coram: K. K. Tated, J) is recalled and Writ Petition No. 2253 of 2016 is restored on file for hearing on its own merits.

b) Office is directed to issue notice to the Respondents in Writ Petition No. 2253 of 2016, returnable on 13.06.2016.

c) In addition to usual mode of service, the Applicant is permitted to serve the Respondents by way of private notice either by RPAD and/or by hand delivery and to file an Affidavit of service to that effect.

d) Civil application stands disposed off accordingly.

(K.K.TATED, J.)