

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1344 OF 2016
IN
WRIT PETITION NO. 415 OF 1998

Arvind K. Navale & Ors. .. Applicants
V/s
Bhagwan B. Navale (Deceased)
through LRs Balasaheb Navale & Ors. .. Respondents

Mr. P.R. Arjunwadkar for the applicants.
Mr. Harshad Shingnapurkar i/b Mr. Amit Borkar for the respondents.

CORAM: D.H. WAGHELA, CJ.

DATE : 15th JULY 2016

P.C.:

Learned counsel appearing for the respondents has expressed no objection to allowing the application and restoring the original Writ Petition No. 415 of 1998 for hearing on merits.

2. In view of the facts recorded in the order dated 26th April 2016, while dismissing the original writ petition, the present application is not required to be entertained. However, learned counsel for the applicants submitted that he is willing to pay to the Maharashtra Legal Services Authority Rs.5,000/- by way of costs and also ensures that no further default in attending the matter shall be committed whenever the main matter is listed for hearing. Hence,

the applicatin is allowed on condition that the applicants will make payment of Rs.5,000/- to the Maharashtra Legal Services Authority on or before 30th July 2016. Accordingly the order dated 26th April 2016 in Writ Petition No. 415 of 1998 shall stand recalled and the petition shall stand restored to the file if proof of payment of Rs.5,000/- as aforesaid is submitted in the Registry on or before 30th July 2016.

3. The application is disposed accordingly.

(CHIEF JUSTICE)