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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 2449 OF 2015
IN
WRIT PETITION NO. 2195 OF 2010

Dinesh Lalji Shah

.. Applicant

Vs.

1. State of Maharashtra and ors.

.. Respondents

Mr. R. K. Mendadkar for applicant.

Mr. P. G. Sawant, AGP for State.

CORAM: NARESH H. PATIL &
V. L. ACHLIYA, JJ.

MARCH 03, 2016.

P.C.

1. Learned counsel appearing for the applicant submits that by an order dated 1/7/2015, Division Bench (Coram: V. M. Kanade and A. R. Joshi, JJ.) has clarified the order dated 28/1/2010 passed in Writ Petition No. 8882 of 2009.

2. By an order dated 20/4/2015, we disposed of the Writ Petition No. 2195 of 2010, by observing in para 5 as under :-

“5. We do not express any opinion on the matters pending in different forums. In view of the earlier order passed, no interference is warranted in this petition. In case, petitioner is successful in the review petition, then petitioner is at liberty to file an application for reviving this petition.”

3. Learned counsel for the applicant submits that in view of the clarification given by the Division Bench (Coram : V. M. Kanade and A.R. Joshi, JJ) in order dated 1/7/2015 in Review Petition No. 45 of 2015, the present review application be allowed and Writ Petition No. 2195 of 2010 be restored to file. The learned AGP has no objection to pass appropriate orders.

4. We have perused the record. The order passed on 20/4/2015 disposing off Writ Petition No. 2195 of 2010 is recalled. Writ Petition No. 2195 of 2010 is restored to the file.

5. Application is accordingly allowed.

(V. L. ACHLIYA, J.)

(NARESH H. PATIL, J.)