

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1839 OF 2016
in
WRIT PETITION NO.7776 OF 2008

Manohar Jiaidas Chhabiani & ors .. Applicants
vs
State of Maharashtra & ors .. Respondents

Mr.J.S.Chandanani for Applicants
Mr.S.D.Rayrikar Asst.Govt Pleader for
Respondent nos.1 to 4.
Mr.A.S.Rao for Respondent no.7

CORAM: G.S.KULKARNI, J
DATE: 1 OCTOBER 2016

P.C.

1. By this Civil Application the applicant/original petitioner has prayed for setting aside the order dated 27 June 2016 whereby Civil Application No.530 of 2016 came to be allowed in as much as considering the facts of the case it is directed that writ petition No.1776 of 2008 be listed for hearing on 19 July 2016.

2. The grievance of the applicant is that copy of the Civil Application was not served, as also on that day Advocate for the Applicant had filed a leave note. Therefore, the Advocate could not remain present and thus the order is required to be set aside.

3. Considering the impugned order which is passed what

is granted is only an early listing of the writ petition for final hearing. Though it may be correct that the leave note was filed, however, the order in my opinion, does not cause any prejudice to the applicant.

4. In the facts of this case, it is in the interest of justice that the petition be heard at an early date. Civil Application is devoid of merits and is accordingly rejected. No order as to costs.

G.S.Kulkarni, J

Rng

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