

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 628 OF 2016
IN
CIVIL REVISION APPLICATION NO.678 OF 2015**

Mr. Rghunath Balu Jadhav

..Applicant

Vs

Smt. Kusum Balu Jadhav @
Kusum Pundalik Shinde and Ors

.. Respondents

Mr.Sanjay Ghaisas, Advocate for Applicant.

CORAM : R.G.KETKAR,J.
DATE : 02/12/2016

PC:

1. Heard Mr.Sanjay Ghaisas, learned counsel for the applicant.
2. This is an application for recalling order dated 15.7.2016, thereby, restoring Civil Revision Application to its original position.
3. Mr. Ghaisas submitted that by order dated 1.7.2016, this Court directed the applicant to serve the respondents by private notice as dispute is between family members. In pursuance thereof, private notice was given to the respondents and affidavit of service enclosing acknowledgments was also filed. The matter was thereafter listed on 15.7.2016 and as none appeared on behalf of the applicant, it was dismissed in default. He submitted that the respondents also did not appear when the matter was dismissed in default. He further states that he has served copy of this application on the respondents and they are duly served. He

further states that nobody has filed appearance in this application as also in the main Civil Revision Application. He has taken me through the reasons given in paragraphs 3 and 4 of the application. In view thereof and for the reasons stated in paragraphs 3 and 4, Civil Application is allowed in terms of prayer clause (a). Civil Revision Application is restored to its original position.

(R.G.KETKAR, J.)