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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1667 OF 2016  
IN  
REVIEW PETITION NO.13 OF 2013  
IN  
SECOND APPEAL NO.1098 OF 2012

Yashwant R. Bhagat

...Applicant

V/s.

Smt.Priya Y. Bhagat

...Respondent

Mr.S.P. Munghate for the Applicant.

None for the Respondent.

**CORAM : R.D. DHANUKA, J.**

**DATE : 14TH DECEMBER, 2016.**

**P.C. :-**

1. Learned counsel appearing for the applicant states that the respondent is served. The statement is accepted.

2. Learned counsel for the applicant seeks restoration of the review petition, which was dismissed for default by this Court on 14<sup>th</sup> September, 2016.

3. I have heard the learned counsel for the applicant and have perused the averments made in the civil application. The applicant has made out a case for restoration of the Review Petition No.13 of 2013. The assurance of the learned counsel for the

applicant that the applicant would remain present as and when the matter will be on board is accepted. The order dated 14<sup>th</sup> September, 2016 is recalled. The Review Petition No.13 of 2013 is restored to file.

4. The civil application is disposed of in aforesaid terms. No order as to costs.

5. Place the Review Petition No.13 of 2013 on board for hearing and final disposal on 17<sup>th</sup> January, 2017. The applicant is directed to inform the next date to the respondent in advance and shall file affidavit of service before the next date.

**(R.D. DHANUKA, J.)**