

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.387/2017
IN
WRIT PETITION NO.5347/2006

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms. Shreema Doshi i/b. Dunmorr Sett for the Applicant - petitioner
Mr. T. R. Yadav i/b. C. R. Naidu & Co. for respondent No.1.

CORAM : K. K. TATED, J.

DATE : FEBRUARY 15, 2017

P.C.:

1. Mentioned. Not on board. At the request of learned counsel for the applicant, the matter is taken on board for urgent orders.

2. This application is made by the petitioner for recalling the order dated 19.01.2017 passed by this court by which the Writ Petition stood dismissed.

3. Considering the submissions made by the learned counsel for the applicant and the reasons disclosed in the Affidavit in support of the Civil Application, I am satisfied that the applicant has made out a case for allowing the Civil Application.

At the same time, the applicant has to pay cost of Rs.750/- to respondent No.1 within two weeks from today.

4. Hence, following order is passed:

a. Order dated 19.01.2017 passed by this court is recalled.

b. Writ Petition No.5347/2006 is restored to file for hearing on its own merits.

c. The applicant to pay cost of Rs.750/- to the respondent No.1 within two weeks from today and place on record an acknowledgment thereof failing which the civil application shall stand dismissed, without further reference to the court.

d. Civil application stands disposed off accordingly.

JUDGE