

dik

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

CIVIL APPLICATION NO. 799 OF 2017  
IN  
WRIT PETITION NO. 860 OF 2004  
WITH  
WRIT PETITION NO. 860 OF 2004

Mahendra Raghunath Patil & Anr. ...Applicants/ Petitioners  
VS  
Ranjan Jagu Patil ...Respondent

.....  
Mr T. Hartalkar i/b S.S.Kanetkar for the Petitioners  
Mr Anup N. Deshmukh i/b V.A.Gangal for Respondent No.1.  
Mrs Jyoti Jadhav AGP for State.  
.....

CORAM : B.P.COLABAWALLA, J.  
SEPTEMBER 21, 2017.

**P.C.:**

This Civil Application has been filed seeking to set aside an order dated 23<sup>rd</sup> February, 2017 dismissing the Writ Petition No.860 of 2004. The learned advocate appearing for Respondent No.1 fairly states that he has no objection if this order dated 23<sup>rd</sup> February, 2017 is set aside and the Writ Petition No.860 of 2004 is restored to its original state.

2           Considering that the Writ Petition No. 860 of 2004 is already admitted and due for final hearing, and considering the fair stand taken by the learned advocate for Respondent No.1 the Civil Application is allowed in terms of prayer clause (a).

3           List the Writ Petition for hearing and final hearing as per its turn. The Civil Application is disposed of in the aforesaid terms.

( B. P. COLABAWALLA, J. )