

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

**CIVIL APPLICATION NO. 1970 OF 2017
IN
WRIT PETITION NO. 4287 OF 2016**

Mr. M.H. Patel

.. Petitioner

v/s.

The State of Maharashtra & Ors.

.. Respondents

Mr. Manubhai H. Patel petitioner in person
Mr. S.D. Rayrikar, AGP for respondent no.1

**CORAM : M.S. SANKLECHA, J.
DATED : 10th OCTOBER, 2017**

PC.

1. This application has been taken out to recall the order dated 20th June, 2017 passed by this Court dismissing the petition on account of absence of the petitioner.

2. The petitioner appears in person. By order dated 6th February, 2016, the Registry had permitted the petitioner to appear in person.

3. In the application, the petitioner points out that due to ill-health he was unable to attend the Court on 20th June, 2017, which

led to the dismissal of his petition for non-prosecution.

4. This application was called out in the morning session, at that time none appeared for respondent nos. 2 and 3 and the application was kept back at 1.30 p.m. When the matter is again called out at 1.30 p.m. none appears on behalf of the respondent nos. 2 and 3.

5. For the reasons indicated in the Civil Application, the order dated 20th June, 2017 is recalled and the petition is restored to the file.

6. The Civil Application is disposed of in above terms.

(M.S. SANKLECHA, J.)