

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

**CIVIL APPLICATION NO. 1969 OF 2017
IN
WRIT PETITION NO. 1001 OF 2016**

Balmukund Rajaram Biyani .. Applicant

v/s.

The Divisional Joint Registrar,
Co-operative Societies, Mumbai & Ors. .. Respondents

Mr. Nitesh Bhutekar for the applicant / orig. petitioner
Mr. N.N. Bhadrashete for respondent no.3
Mr. S.D. Rayrikar, AGP for respondent nos. 1 and 2

**CORAM : M.S. SANKLECHA, J.
DATED : 21st NOVEMBER, 2017**

PC.

1. This application has been taken out for recall of the order dated 3rd July, 2017 by which the Writ Petition No.1001 of 2016 was dismissed for non-prosecution.

2. For the reasons stated in the application and particularly the fact mentioned therein that the applicant could not remain present when the petition was first called out as he was on his leg before the another Court. However, the same was mentioned on the same day but as the respondents were not present, the applicant was directed

by the Court to take out this Civil Application.

3. Accordingly, for the reasons mentioned in the application, the Civil Application is allowed in terms of prayer clause (A).

(M.S. SANKLECHA, J.)