

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

**CIVIL APPLICATION NO. 2419 OF 2017
IN
WRIT PETITION NO. 251 OF 2016**

Sau. Jyoti Janardan Padyal & Ors. .. Applicants

v/s.

The State of Maharashtra & Ors. .. Respondents

Mr. Shailesh A. Chavan for the applicants
Mr. Prashant Patil for respondent no.3
Mr. S.H. Kankal, AGP for respondent nos. 1 and 2

**CORAM : M.S. SANKLECHA, J.
DATED : 5th DECEMBER, 2017**

P.C.

1. At the request of the parties, this Civil Application is being disposed of finally at this stage.

2. This Civil Application seeks recall of the order dated 31st July, 2017 dismissing the petition for non-prosecution. For the reasons set out in the application, I am satisfied that the petitioner's advocate was unable to attend the Court on 31st July, 2017 because of his ill-health. This application has been taken out on 3rd August, 2017.

3. In the above view, the Civil Application is allowed in terms of prayer clause (a). The Writ Petition No.251 of 2016 is restored to its original file.

(M.S. SANKLECHA, J.)