

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

**CIVIL APPLICATION NO.229 OF 2017
IN
SECOND APPEAL NO. 67 OF 1994**

Ravindra Mahadeo Kumbhar ... Applicant

Versus

Kolhapur Zilla Shetkar Vinkari Sah. Soot Gir. Ltd. ... Respondent

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Mr. Nitin Patil for the Applicant.
None for the Respondent.

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CORAM : S.C.GUPTE, J.

DATE : 17 FEBRUARY 2017

P.C. :

1. This Civil Application seeks recall of a dismissal order passed by this Court on 2 December 2015 and restoration of the Second Appeal. The Application has been duly served on the Respondent.

2. It is submitted that the Applicant's Advocate was not present due to his marriage at his native place. It is also submitted that a colleague of the learned Advocate tried to mention the matter on the same date at 5.00 pm, but could not do so, since the Court had risen in the meanwhile. A sufficient cause has been made out for the default of appearance. The Civil

Application is, accordingly, allowed in terms of prayer Clause (A). The Second Appeal to come up for hearing in the week commencing from 27 March 2017.

(S.C.GUPTE, J.)