

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.42 OF 2017

IN

WRIT PETITION NO.9306 OF 2016

(Nandkumar Vishwanath Jethe Vs. The State Bank of India through its Branch Manager and others)

Office Notes, Office Memoranda of Coram, appearances, Court's orders, or directions, and Registrar's Orders	Court's or Judge's orders
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Mr. P. M. Arjunwadkar for Applicant.

Mr. J. B. Navlani i/b. Mr. Kusumakar Kaushik for Respondent No.1.

CORAM : R. G. KETKAR, J.**DATE : 20TH JANUARY, 2017****P.C.:**

Heard Mr. Arjunwadkar, learned Counsel for applicant and Mr. Navlani, learned Counsel for respondent No.1. Mr. Arjunwadkar states that rest of the respondents are duly served.

2. This is an application for recalling the order dated 08.08.2016 whereby Petition was dismissed for not removing office objections.

3. Mr. Arjunwadkar submitted that basically the office was not justified in raising the objections. He has taken me through the Petition for substantiating his submissions.

4. Mr. Navlani strenuously opposed the application on

the ground that applicant did not remove office objections.

5. I find substance in the submission of Mr. Arjunwadkar that office was not justified in raising office objections and consequently, order dated 08.08.2016 deserves to be recalled. Hence, Civil Application is allowed in terms of prayer clauses (a), (b) and (c-1) with no order as to costs. Writ Petition No.9306 of 2016 is restored to its original position.

(R. G. KETKAR, J.)

Minal Parab