

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.**

**971 CIVIL APPLICATION NO. 13532 OF 2018
IN FA/4505/2016**

**JAGDISH PRABHAKAR SABLE
VERSUS
ASHUTOSH BABULAL PAL AND OTHER**

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Advocate for Applicant : Shri A.P. Gunge;
Advocate for Respondent No.3 : Shri S.G. Chapalgaonkar.

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CORAM : P.R. BORA, J.
Dated: October 31, 2018

PER COURT :

1. Heard the learned Counsel appearing for the respective parties. Perused the record. It appears that, some incorrect submissions were inadvertently made by the learned Counsel appearing for the claimant, based on which, the appeal was permitted to be withdrawn. In fact, the matter was remitted back to the Tribunal for the limited purpose of recording a finding on the issue of medical bills and thereafter the appeal was to be decided by this Court on merits. The finding on the medical bills is received from the Tribunal. It is, thus, evident the further part is to be considered on merits. However, because of incorrect information provided to this Court, the appeal was permitted to be disposed of. The order, therefore, needs to be

recalled and it is accordingly recalled. First Appeal No.4505 of 2016 stands restored to its original file.

2. Civil Application stands disposed of.
3. List the matter for further consideration on 30.11.2018.

(**PR. BORA, J.**)

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