

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 72 OF 2018
IN
CIVIL WRIT PETITION NO. 2642 OF 2017**

Dhondi Bhairu Patil (since deceased) through LRs ...Petitioners
Versus
Maruti Aba Patil (since deceased) through LRs ...Respondents

Mrs Varsha Palav, *for the Petitioners.*
Mr PM Arjunwadkar, *for the Respondent/Applicant.*

CORAM: G.S. PATEL, J
DATED: 13th March 2018

PC:-

1. The original Petitioners were not represented on 20th November 2017. By my order of that date I noted *inter alia* that Rule was issued on 10th April 2002 and it was followed by interim relief. The Civil Application itself was filed by some of the Respondents. The Petitioners were not heard since their Advocate who had filed a vakalatnama was unavailable that date. In fact a leave note had been filed by Ms Palav. I inadvertently overlooked this, and therefore Ms Palav was not present on that date.

2. On this limited ground, the order of 20th November 2017 is recalled.
3. Civil Application No. 2642 of 2017 is restored to file.
4. It will be listed before the Court to whom these Writ Petitions are assigned.
5. Civil Application No. 72 of 2018 is disposed of in these terms.

(G. S. PATEL, J)