

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION (ST)NO. 4780 OF 2018

IN

WRIT PETITION NO.5963 OF 2016

Dnyaneshwar Bhikaji Kadu(Deshmukh) ..Applicant

Vs.

The Collector, Pune and Others ..Respondents

Mr. Nitesh J. Mohite i/b Amey Deshpande, for the Applicant/Petitioner.

CORAM:-K. K. TATED & B. P. COLABAWALLA,JJ.

DATE :- APRIL 5, 2018.

P. C.:

Heard. The learned counsel for the Applicant/Petitioner filed praecipe dated 05.04.2018 for fixing early date of hearing. He submits that by this application he is seeking to recall the order dated 6th February, 2018 by which the Writ Petition stood dismissed in default.

2 It is to be noted that it is specifically noted in the order dated 6th February, 2018 that no one appeared on behalf of the Petitioner even on last four occasions.

3 Considering these facts, we are of the opinion that the Applicant/Petitioner to deposit sum of Rs.7,500/- by way of costs in the Registry before issuing any notice to the other side. Hence, the following order:-

a) Applicant to deposit costs of Rs. 7,500/- in the Registry within two weeks from today failing which the Civil Application shall stand dismissed without further reference to court.

b) If costs are deposited within the stipulated time as stated herein above, the Registry is directed to issue notice to the Respondents returnable on 15th June, 2018.

c) In addition to usual mode of service, the Applicant/Petitioner is permitted to serve the Respondents along with entire proceedings by way of private notice either by RPAD and/or by hand delivery and to file an Affidavit of service to that effect on or before next date.

Stand over to 15th June, 2018.

(B. P. COLABAWALLA, J.)

(K. K. TATED, J.)