

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1494/2018  
IN  
FIRST APPEAL NO.255/2012

Ashokkumar Bhabutmal Parmar

... Applicant

V/s.

M/s. Greaves Ltd. Diesel Engines Unit & Anr.

... Respondents

Mr. T. D. Deshmukh for the Applicant  
Mr. Piyush Raheja with Pooja Kothari i/b. M/s. Federal & Rashmikant  
for Respondent No.2.

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

**DATED : APRIL 20, 2018**

**P.C. :**

1 Heard. This Application is made by the Appellant for recalling the order dated 29.01.2018 passed by this court by which the First Appeal stood dismissed for non prosecution.

2 The learned counsel for the Applicant submits that he does not want to argue the matter, but wants to rely on the judgments, viz. (I) Shiv Cotex Vs. Tirgun Auto Plast Pvt. Ltd. & Ors. (2011) 9 SCC 678 (ii) Lakhi Narayan Sonowal Vs. State of Assam & Anr. (2016) 14 SCC 514 (iii) Raj Kishore Pandey Vs. State of Uttar Pradesh and Ors. (2009) 2 SCC 692 (iv) Noor Mohammed Vs. jethanand and Anr (2013) 5 SCC 202.

3      Considering these facts and the order dated 29.01.2018 passed by this court, we do not find any reason to recall the said order.

4      Hence, the Civil Application stands rejected.

**(B. P. COLABAWALLA, J.)**

**(K.K. TATED, J.)**