

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
CIVIL APPLICATION NO. 202 OF 2018

IN

CIVIL REVISION APPLICATION NO.70 OF 2007

Tanaji Mahadeo Shitole] Applicant

Vs.

Subhash Shrirang Bhingardeva] Respondent

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Mr. Akshay Kulkarni i/b Ashutosh M. Kulkarni, for Applicant.

CORAM : R.G. KETKAR, J.

DATE : 13TH MARCH, 2018.

P.C.

Not on board. At the request of Mr. Kulkarni, taken up in the production board.

2. Heard Mr. Kulkarni, learned Counsel for the petitioner.
3. This application is taken out for recalling the order dated 28th March, 2016 passed by this Court (Coram: K.K. Tated, J.) in Civil Revision Application No.70 of 2007. Mr. Kulkarni submitted that by order dated 7th August, 2007, after hearing both the sides, Civil Revision Application was admitted. By order dated 28th March, 2016, Civil Revision Application was dismissed in default as nobody appeared on behalf of the applicant. Mr. Kulkarni states that

application is filed on 5th April, 2016 which is in time. He, therefore, submitted that for the reasons set out in paragraph 4 of the application, Civil Application may be allowed in terms of prayer clause (b). He further submits that he has given notice of today's production to the other side.

4. For the reasons stated in paragraph 4, I am satisfied that the applicant has made out sufficient cause for recalling the order dated 28th March, 2016. Civil Application is allowed in terms of prayer clause (b) with no order as to costs. Civil Revision Application is restored to its original position along with interim order.

4. Mr. Kulkarni assures that he will serve copy of this order on the other side.

[R.G. KETKAR, J.]