

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 2317 OF 2017****IN****WRIT PETITION NO. 9426 OF 2015****M/s.Wonder Wood****..... Applicant****VERSUS****Joint Registrar,****Co-operative Societies, CIDCO Ltd. & Ors. Respondents**

Mr.Omkar Gupte, i/b. GP Law and Associates for the Applicant/Petitioner.

Mr.S.D.Rayrikar, A.G.P. for the State – Respondent nos. 1 and 2.

CORAM : R.D. DHANUKA, J.**DATE : 24th APRIL, 2018****P.C.**

Learned counsel appearing for the applicant states that all the respondents are served. Statement is accepted.

2. Learned A.G.P. waives service for the respondent nos. 1 and 2.

3. I have heard learned counsel appearing for the applicant and the learned A.G.P. and have perused the averments made in the civil application *inter alia* praying for recall of the order dated 5th July, 2017 dismissing the writ petition for want of prosecution. The applicant has made out a case for recall of the order dated 5th July, 2017 for the reasons recorded in the civil application.

4. The order dated 5th July,2017 passed by this court is accordingly recalled. Writ Petition No. 9426 of 2015 is restored to file.
5. Civil application is disposed of in the aforesaid terms. No order as to costs.
6. Place this writ petition alongwith Writ Petition No. 4752 of 2016 on board for admission on **11th June, 2018**.
7. Affidavit in reply if any, shall be filed within three weeks from today and a copy thereof shall be served upon the petitioner's advocate simultaneously. Rejoinder if any, shall be filed within two weeks from the date of service of the affidavit in reply and a copy thereof shall be served upon the respondents' advocate simultaneously.

[R.D. DHANUKA, J.]