

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1654 OF 2018

IN

WRIT PETITION NO. 13415 OF 2017

Charita Thakkar

..Applicant

Vs.

The Union of India and Others

..Respondents

Mr.Amit D. Nikam I/b Deep Shridharani, for the Applicant.

Mr. R. V. Govilkar I/b Shivraj R. Patil, for Respondent Nos.1,2.

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

DATE :- AUGUST 7, 2018.

P. C.:

Heard. By this Civil Application, the Applicant is seeking to recall the order dated 19th July, 2018 passed by this Court vide which the Writ Petition stands dismissed for non prosecution.

Anjali
Tushar
Aswale

Digitally
signed by
Anjali
Tushar
Aswale
Date:
2018.08.10
15:04:32
+0530

2 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Civil Application, we are satisfied that the Applicant has made out a case for allowing the Civil Application but at the same time, the Applicant has to pay costs of

Rs. 5,000/- .

Hence following order:-

- a) The order dated 19th July, 2018 passed by this Court is recalled.
- b) Writ Petition No. 13415 of 2017 is restored on file for hearing on its own merits.
- c) The Applicant is directed to inform the otherside in writing about restoration of the Writ Petition and serve copies on them within four weeks from today.
- d) The Applicant to pay costs of Rs.5,000/-.
- e) Costs to be paid within four weeks from today.
- f) Costs to be paid to Kirtikar Law Library, High Court, Mumbai within stipulated time and place on record the receipt to that effect failing which the Civil Application stands dismissed without further reference to Court.

The Civil Application stands disposed of accordingly.

(B. P. COLABAWALLA, J.)

(K. K. TATED, J.)