

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 1433 OF 2018
IN
SECOND APPEAL NO. 541 OF 1998**

Gajanan Manohar Thite

....Applicant

V/s.

Ujwal Govind Keskar & Ors.

....Respondents

Mr. T.D. Deshmukh for the applicant.

Mr. Kuldeep Pawar I/b. MR. S.M. Gorwadkar for respondent no.1.

Mr. Anand Kulkarni I/b. Mr. Abhijit Kulkarni for R.No.4.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED: 17TH DECEMBER, 2018.

P.C.:

. At the outset, Mr. T.D. Deshmukh, learned counsel for the applicant seeks leave to place on record copy of the order dated 23/08/2018. Leave is granted. Applicant is directed to file the same during the course of the day.

2. By this application, the applicant has sought recall of the order dated 23/08/2018 whereby the Second Appeal was dismissed for want of prosecution. The application for restoration was filed on the very next date.

3. Considering the said fact and in view of the reasons stated in paragraph nos.6 and 7 of the application, the Application is allowed. Order dated 23/08/2018 is recalled and the Second Appeal No.541 of 1998 is restored to its original position.

4. Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)