

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

**FIRST APPEAL NO. 701 OF 2017
WITH
CIVIL APPLICATION NO. 180 OF 2018
WITH
CIVIL APPLICATION NO. 179 OF 2018
IN
FIRST APPEAL NO. 700 OF 2017**

The State of Maharashtra

.. Applicant

Vs.

Atmaram Kaluram Naik & Ors.

.. Respondents

Mr.Yogesh Dabke, AGP for applicant-State in FA/701/2017 and for respondent No.1 in CAF/180/2018 & CAF/179/2018.

Mr.Akshay R. Pai, Advocate I/b Mr.Vikram V. Pai, Advocate for applicant in both civil applications.

CORAM : A.S. CHANDURKAR, J.

DATE : 26TH NOVEMBER 2018

P.C.

CIVIL APPLICATION NO.180 OF 2018

1 Notice on the application is made returnable forthwith. The learned counsel waives notice on behalf of the non-applicants.

2 In the application it is prayed that the order dated 14th July 2017 passed in Civil Application (St.) No.7317 of 2004 be recalled as that Civil Application came to be dismissed on account of absence of the learned counsel.

3 The reasons for absence of the learned counsel have been mentioned in paragraphs 4 to 6 of the Civil Application.

4 Though the prayers as made are opposed by the counsel for the non-applicants, considering reasons mentioned the order dated 14th July 2017 passed in Civil Application St. No.7317 of 2004 is recalled. Said Civil Application stands restored.

5 The civil application is allowed and accordingly disposed of.

CIVIL APPLICATION NO.179 OF 2018

6 Notice on the application is made returnable forthwith. The learned counsel waives notice on behalf of the non-applicants.

7 In the application it is prayed that the order dated 14th July 2017 passed in Civil Application (St.) No.7320 of 2004 in Civil Application No. 2003 of 2001 be recalled as that Civil Application came to be dismissed on account of absence of the learned counsel.

8 The reasons for absence of the learned counsel have been mentioned in paragraphs 4 to 6 of the Civil Application.

9 Though the prayers as made are opposed by the counsel for the non-applicants, considering reasons mentioned the order dated 14th July 2017

passed in Civil Application (St.) No.7320 of 2004 in Civil Application No. 2003 of 2001 is recalled. Said Civil Application stands restored.

10 The civil application is allowed and accordingly disposed of.

(A.S. CHANDURKAR, J.)