

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 293 OF 2019****IN****CIVIL APPLICATION NO. 556 OF 2001****IN****SECOND APPEAL NO. 439 OF 2001**

**Smt.Akkatai Dattu Pawar
Since Deceased through L.R.
Ramchanra Dattu Pawar**

..... Applicant**VERSUS****Balu Dattu Powar & Ors.****..... Respondents**

Mr.Dhairyasheel Sutar for the Applicant.

Mr.M.S.Lagu for the Respondent nos. 1 and 2.

CORAM : R.D. DHANUKA, J.

DATE : 23rd SEPTEMBER, 2019

P.C.

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

2. By this civil application, the applicant seeks condonation of delay of 4 year and 18 days in filing civil application and recall of the order dated 17th November, 2014 passed by Shri K.K.Tated, J.

3. On perusal of the civil application, I am satisfied that the applicant has made out a case for recall of the order dated 17th November, 2014 for the reasons recorded therein. Order dated 17th November, 2014 passed by this court in Civil Application No.556 of 2001 is recalled.

4. Civil Application No.556 of 2001 is restored to file.
5. *Ad-interim* relief granted by this court, if any, in Civil Application No.556 of 2001 is also restored to file.
6. Civil application is disposed of in the aforesaid terms. No order as to costs.
7. Place Civil Application No.556 of 2001 on board for hearing and final disposal on 9th October,2019.

[R.D.DHANUKA, J.]