

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

**CIVIL APPLICATION (ST.) NO.3471 OF 2019
WITH
APPEAL FROM ORDER (ST.) NO.33082 OF 2018**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.V.R.Tripathi for the applicant

Mrs.Kavita N. S alunkhe for the respondent

**CORAM : K. K. TATED, J
DATE : APRIL 15, 2019**

P.C.:

. Heard.

2 By this Civil Application, Applicant is seeking to restore the Appeal from Order (St.) No.33082 of 2018 and Civil Application (St.) No.33083 of 2018 which stands disposed of by common order dated 21.1.2019 along with Appeal from Order (St.) no.36398 of 2018.

3 The learned counsel for the Applicant submits that on 21.1.2019 only Appeal from

Order (St.) No.36398 of 2019 was shown on board for hearing. In support of this contention, he relies on photocopy of the board of that date i.e. 21.1.2019 which is on page 20 of the Civil Application. The board shows that at Serial No.67 only Appeal from Order (St.) No.36398 of 2018 was shown on board.

4 On the basis of these facts, the learned counsel for the applicant submits that order dated 21.1.2019 may be modified to the extent that the said order is applicable only in Appeal from Order (St.) No.36398 of 2018.

5 On the other hand, the learned counsel for the Respondent vehemently opposed the present Civil Application. She submits that the Appellant has filed several litigations for similar issue. She submits that on that date, the court has taken both the matters for hearing. Therefore, there is no question of modifying the order dated 21.1.2019.

6 Considering the submissions made by the learned counsel for the Applicant and the averments made in Civil Application, I am of the opinion that there is no question of reviewing the earlier order dated 21.1.2019 passed by this court (Coram: Dr.Shalini Phansalkar - Joshi, J.).

7 Applicant has to take out appropriate

application to that effect.

8 In view of these facts, Civil Application is
not maintainable.

9 Hence, Civil Application stands dismissed.

10 No order as to costs.

(K.K.TATED, J.)