

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

**CIVIL APPLICATION NO.951 OF 2018
IN
WRIT PETITION NO.7107 OF 2014**

Shahnaz G. Foujdar .. Applicant

V/s.

Savita Ravi Mutgekar .. Respondent

Mr.R.N.Sanghavi for the applicant
None for the respondent

**CORAM: K.K. TATED, J
DATED : JANUARY 9, 2019**

P.C. :

1 Heard.

2 Though Respondent is duly served no one appeared on behalf of them when the matter was called out.

3 By this Civil Application Applicant is seeking to recall the order dated 10.04.2018 passed by this court in Writ Petition No.7107 of 2014 and to continue the ad-interim relief granted on 13.11.2014.

4 The learned counsel for the Applicant submits that matter was on board before this court on 24.04.2018. At that time, advocate for the Respondent made a statement that they will not proceed with the suit till the next date.

5 The learned counsel for the Applicant submits that on 10.04.2018 when the matter was on board before this court, no one appeared on behalf of Petitioner because advocate on record was held up in another matter.

6 Considering the submissions made by the learned counsel for the Applicant, the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

a) Order dated 10.04.2018 passed by this court vacating the ad-interim relief granted in favour of Applicant is recalled.

b) Ad-interim relief granted on 13.11.2014 passed by this court (R.M.Savant,J.) to continue till next date.

c) Writ Petition No.7107 of 2014 be placed on board for admission on 25.02.2019.

d) Advocate for the Applicant is directed to inform the other side about the next date in writing and file affidavit of service to that effect on or before 16.02.2019.

e) Civil Application stands disposed of accordingly.

f) No order as to costs.

(K.K. TATED, J.)