

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No. 384/2019
in
Appeal from Order (ST) No. 1597/2018

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
Mr. L. S. Shukla for the Applicant Mr. Oorja Dhond for the Municipal Corporation	

CORAM : K.K.TATED, J.
DATED : APRIL, 12, 2019

P.C.

Heard. By this Civil Application, the Applicant seeks to recall the order dated 02.04.2019 passed by this court by which the Appeal from Order and the Civil Application stood dismissed for non prosecution.

2 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. At the same, the Applicant will have to pay some costs.

3 Hence, the following order:

- a) Order dated 02.04.2019 is recalled.
- b) The Appeal from Order and the Civil Application are restored to file for hearing on merits.
- c) The Applicant shall pay costs of Rs.2500/-.
- d) Cost shall be paid to Kirtikar Law Library, High Court, Mumbai, on or before 26.04.2019 and place a receipt thereon on record, failing which the Civil Application shall stand dismissed without further reference to the court.
- e) If cost is paid within stipulated time as stated hereinabove, Office is directed to place the matter on board on 02.05.2019, for admission.
- f) Civil application stands disposed off accordingly.

(K.K.TATED, J.)