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

CIVIL APPLICATION No. 19 OF 2019
IN
CONTEMPT PETITION No.215 OF 2017

Kum. Sarika Shamkant Bhagwat ...Applicant
Vs.
Mr. Gokul Damodar Bhagwat and Anr. ...Respondents

Mr. Sachin Padiye i/b. Mr. Girish R. Agrawal for Applicant
Mr. Nachiket Bhawe a/w Mr. Ashish Gabhawde with Ms. Khushbu
Marwadi i/b. Jay and Co. for Respondents

CORAM : K.K. TATED, J.

DATE : APRIL 16, 2019

P.C.:

1. Not on Board. Upon producing Praecipe, matter is taken on the Production Board for urgent orders.
2. Heard learned counsel for parties.
3. By this civil application, the Applicant, Original Petitioner is seeking to recall the order dated 15th March, 2019 passed by this Court by which the contempt petition stands dismissed for non-prosecution.
4. Considering the submissions made by learned counsel for the Applicant and the averments made in the civil application, I am satisfied that the Applicant has made out a case for passing the following order, but at the same time, he has to pay the costs of Rs.500/-

ORDER

- (A) The order dated 15th March, 2019 passed by this Court is recalled.
- (B) Contempt Petition No. 215 of 2017 to restore on file for hearing on its own merits.

- (C) Applicant to pay costs of Rs.500/-.
- (D) Costs to be deposited in Kirtikar Law Library, High Court, 1st Floor, Mumbai on or before 4th May, 2019 and place the receipt to that effect on record, failing which, civil application shall stand dismissed without referring back to the Court.
Civil Application stands disposed of accordingly.

[K. K. TATED, J.]

V.A. Tikam