

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 300 OF 2019

IN

CIVIL APPLICATION NO. 1042 OF 2019

IN

FIRST APPEAL NO. 719 OF 2015

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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Ms. Gayatri Nayak I/b Rajesh Khobragade
for the Applicant.

CORAM: K.K.TATED, J.

DATED : 17/10/2019

P.C.

1 Not on board. At the request of the learned Counsel for the Applicant, matter is taken on board for urgent order.

2 By this Civil Application, the Applicant is seeking to recall the order dated 25.03.2019 passed by this Court in Civil Application No. 1042 of 2019 by which Civil Application stands dismissed for non-prosecution.

3 The learned Counsel for the Applicant submits that when the matter was called out before this Court, on that date, the Advocate on record was held up in another matter. Hence, no one could appear in this matter.

4 Considering the submissions made by the learned Counsel for the Applicant and averments made in Civil Application, I am satisfied that Applicant has made out a case for allowing the Civil Application.

5 Hence, following order is passed:

a) Order dated 25.03.2019 passed by this Court in Civil Application No. 1042 of 2019, is recalled.

b) Civil Application No. 1042 of 2019 is restored on file for hearing on its own merits.

c) Civil Application stands disposed of accordingly.

d) No order as to costs.

(K.K.TATED, J.)