

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

**CIVIL APPLICATION NO.627 OF 2019
IN
APPEAL FROM ORDER NO.106 OF 2014**

Hiroo Tuljaram Shahani	...	Applicant
Versus		
Janaki R. Karam		
And Others	...	Respondents

.....

Mr. Omar Kahaiyam Shaikh for the Applicant.

Mr. Zubin Narielwala i/b Hariani & Co. for Respondent Nos.1 and 2.

.....

CORAM : S.C. GUPTE, J.

DATE : 30 SEPTEMBER 2019

P. C. :

. Heard learned Counsel for the parties.

2 This Civil Application seeks recall of a dismissal order passed in the Appeal from Order. The appeal was dismissed for non-prosecution on account of default on the part of the Applicant/Appellant. Learned Counsel for the Respondents opposes the application. For the reasons stated in the Civil Application, the order of dismissal dated 16 April 2019 is recalled and set aside and the Appeal from Order is restored to file along with Civil application No.137 of 2014. The ad-interim relief granted in favour of the Appellant in Civil Application No.137 of 2014 shall also revive.

3 The Civil Application is disposed of accordingly.

(S.C. GUPTE, J.)