

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.63/2019
in
Contempt Petition No.357/2018

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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Mr. Amol S. Shinde for the Applicant

CORAM: K.K.TATED, J.
DATED : SEPTEMBER 19, 2019

P.C.

1 Pursuant to the praecipe filed by the learned counsel for the Applicant, the matter is taken on production board.

2 By this Civil Application the Applicant is seeking restoration of the Contempt Petition which stood dismissed for non prosecution by order dated 21.08.2019.

3 The learned counsel for the Applicant submits that the advocate on record for the Petitioner was not keeping well. He submits that he was admitted in the hospital. He has placed on record a medical certificate Exhibit-B issued by Daya Charitable Hospital, Nasik.

4 The learned counsel for the Applicant submits that in the interest of justice, this Hon'ble Court be pleased to recall the order dated 21.08.2019 passed by this court and the matter be heard on merits.

5 Considering the submissions made by the learned counsel for the Applicant, the averments made in the Civil Application and also considering the medical certificate placed on record, I am satisfied that the Applicant has made out a case for allowing the Civil Application.

6 Hence, following order is passed:

- a. Order dated 21.08.2019 is recalled.
- b. Contempt Petition stands restored to file for hearing on merits.
- c. Place the Contempt Petition on board on 04.10.2019.
- d. The Civil Application stands disposed of accordingly.
- e. No order as to costs.

(K.K.TATED, J.)