

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION STAMP NO.27829 OF 2019

Surendra Mishra & Anr.

..Petitioners

Versus

State of Maharashtra & Ors.

..Respondents

Ms. Mansi Jain, Advocate for the Petitioners.

Ms. Nisha Mehra, AGP for the Respondent – State.

Ms. Nirja Patani – Joshi i/by Indrayani Patani, Advocate for Respondent No.2.

CORAM : PRADEEP NANDRAJOG, C.J. &
SMT. BHARATI DANGRE, J.

DATE : 5th DECEMBER, 2019

P.C.

1] The impugned order dated 19.09.2019 has dismissed Appeal No.19 of 2019 filed before learned DRAT on the ground that costs imposed vide order dated 22.08.2019 was not paid.

2] Learned counsel for the Petitioners states that the Petitioners are ready to pay the costs. If this be so, the Petitioners should first pay the costs and then move an application before the learned DRAT seeking recall of the order dated 19.09.2019.

3] Declining relief as prayed, we permit the Petitioners to first pay the costs and then file an application before the learned DRAT praying that order dated 19.09.2019 be recalled.

Balaji G.
Panchal

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Balaji G. Panchal
Date: 2019.12.06
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SMT. BHARATI DANGRE, J

CHIEF JUSTICE

BGP.