

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

**CIVIL APPLICATION NO. 4893 OF 2010
IN
FIRST APPEAL NO. 80 OF 2001**

Shapur N. Gharda
Since deceased LR –
Mrs.Mehroo Ganesh Udyawar

.... Applicant

Versus

Adi K. Dhondy & another

.... Respondents

Mr. Jaydeep Deo for the Applicant.
None for the Respondent.

CORAM : K. K. TATED, J.

DATE : 18th SEPTEMBER, 2019

P.C.

Heard learned counsel Mr. Jaydeep Deo for the applicant.

2. By this Civil Application, applicant is seeking to recall the order dated 29th January, 2011 passed by this Court in Civil Application No.360/2001. Applicant is also seeking injunction against respondent directing them to remove their belongings from the suit premises i.e. Flat No.4, Second Floor Awabai Mansion, Henry road, Mumbai -400 001.

3. Bare reading of the order dated 29th January, 2001 passed by this Court shows that same was passed on hearing both sides and by consent. As the order dated 29.01.2001 was passed by consent of both parties, there is no question for interfering in the present Civil Application. Not only that, the applicant has failed to make out any case for recalling the consent order. Hence, the following order -

- i) Civil Application stands rejected.
- ii) No order as to costs.

[K. K. TATED, J.]