

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

**CIVIL APPLICATION NO.48 OF 2020
IN
WRIT PETITION NO.4842 OF 2015**

Sau. Asmita Shantaram Dalvi & Ors. Applicants

versus

Gajanan Raghunath Salvi & Ors. Respondents

.....

- Mr.Sunil G. Karandikar, Advocate for Applicants.
- Dr.Kirti Kulkarni, Advocate for Respondents.

**CORAM : K. K. TATED &
SARANG V. KOTWAL, JJ.
DATE : 31st JANUARY, 2020.**

P.C. :

1. Heard learned Counsel for the parties.
2. By this Civil Application the Applicant is seeking to recall the order dated 02/04/2019 passed by this Court by which Writ Petition No.4842/2015 was dismissed for default.
3. Considering the submissions made by learned Counsel for the Applicant and averments in Civil Application, we are

satisfied that the Applicant has made out case for allowing the Civil Application. Hence following order is passed:

- (a) Order dated 02/04/2019 passed by this Court is recalled.
- (b) Writ Petition No.4842/2015 is restored to file for hearing on its own merits.
- (c) The Applicant is directed to serve all the Respondent along with entire proceedings by way of private notice either by RPAD and/or by hand delivery and to file an Affidavit of service to that effect immediately.
- (d) Civil Application stands disposed of accordingly.
- (e) No order as to cost.

(SARANG V. KOTWAL, J.)

(K.K.TATED, J.)