

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 11452 OF 2021
IN
WRIT PETITION NO. 4203 OF 2021**

Govardhan Narayan Giri

.. Applicant

Versus

Shiv Constructions,
Through its Proprietor,
Shashank Dileep Misal and others

.. Respondents

Mr. Y. B. Bolkar, Advocate h/f Mr. Sudheer R. Zambare, Advocate for the Applicant.

Mr. A. S. Kakade, Advocate for Respondent No. 1.

Mr. P. K. Lakhotiya, AGP for Respondent No. 2.

Mr. P. A. Pisal, Advocate for Respondent Nos. 3 and 4.

Mr. Nitin Jagdale, Advocate for Respondent Nos. 8 and 9.

**CORAM : S. V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATED : 20th October, 2021.

PER COURT:-

. The present application is moved for recall of the order dated 06.10.2021 issuing bailable warrant to the applicant.

2. Mr. Bolkar, learned counsel for the applicant submits that the applicant inadvertently could not remember the date of 06.10.2021 in the summons. The applicant did not have intention to disrespect the Court by not appearing. The applicant tenders unconditional apology, henceforth, he would be diligent.

3. We are not convinced with the reasons given in the application. However, considering that unconditional apology has been tendered and on assurance that henceforth such mistake would not be caused by the applicant and that the applicant has undertaken to file affidavit before the next date, we recall the order dated 06.10.2021 issuing bailable warrant to the applicant.

4. Civil application is disposed of.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.