

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

**INTERIM APPLICATION NO. 846 OF 2021
IN
WRIT PETITION NO. 7566 OF 2019**

Shree Abhishek Arun Survase and Ors.	... Applicants
<i>Versus</i>	
State of Maharashtra and Anr.	... Respondents

Mr. Anandsingh Bayas a/w Ms. Bhagyashri Mangle i/by Mr. V.S. Deokar and Mrs. Ranjana V. Deokar for the Applicants.
Mr. N. C. Walimbe, AGP for the State-Respondent Nos. 1 and 2.

**CORAM: R. D. DHANUKA AND
ABHAY AHUJA, JJ.**

DATE : 24th NOVEMBER, 2021.

P.C. :-

. By this Interim Application, applicants seek recall of the order dated 23rd July, 2019 passed in Writ Petition No. 7566 of 2019 filed by the applicants.

2. Learned counsel for the applicants invited our attention to the order dated 23rd July, 2019 passed by a Division Bench of this Court recording that after this Court expressing its disinclination to grant any relief in writ jurisdiction on identical lines as in Writ Petition No. 7670 of 2019, this writ petition is allowed to be withdrawn and disposed of as such.

3. Learned counsel also fairly invited our attention to the order

dated 29th August, 2019 passed by another Division Bench of this Court comprising of S. C. Dharmadhikari and G. S. Patel, JJ. in a fresh Writ Petition bearing Stamp No. 24554 of 2019 dismissing the said writ petition filed by the petitioners for challenging the same order. After disposal of the second writ petition, the applicants filed this Interim Application *inter-alia* praying for recall of the order dated 23rd July, 2019. It is not in dispute that the applicants did not apply for withdrawal of the second writ petition with liberty to file review petition.

4. In our view, this Interim Application is misconceived and is accordingly dismissed. We are not inclined to permit withdrawal of this Interim Application with liberty to file review petition, at this stage after several years.

5. Interim Application is dismissed. There shall be no order as to costs.

[ABHAY AHUJA, J.]

[R. D. DHANUKA, J.]