

Sneha
N.
Chavan

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

**INTERIM APPLICATION NO. 2075 OF 2020
IN
CIVIL REVISION APPLICATION NO. 347 OF 2009**

Pryllis L. D'Abreo .. Applicant
V/s.

Yvette Dias and Ors. ..Respondents

Mr. Nachiket Khaladkar a/w Moin Khan for the Applicant.

Mr. Clive D'Souza, for the Respondent Nos. 1, 3, 4 & 5A and 5B.

CORAM : C.V. BHADANG, J.

DATE : 18th JANUARY, 2021

PC.

1. This is an application for recalling the order dated 29.01.2020 and for restoration of the Civil Revision Application.
2. I have heard the learned counsel for the parties.
3. The application is opposed on behalf of the respondents on the ground that there is nothing on record to show that the Advocate for the applicant was unwell and secondly, it was submitted that applicant was represented by a Power of Attorney and there is no reason, why the Power of Attorney holder was absent.

4. The revision application challenges the concurrent findings of the Courts below, thereby refusing to grant a decree of eviction in favour of the applicant, who is the landlady. The applicant is shown to be 90 years of age. The application is supported by affidavit.
5. Considering the overall circumstances and in the interest of justice, the application is allowed.
6. The order dated 29.01.2020, is hereby recalled.
7. Civil Revision Application No. 347 of 2009, is restored back to file.
8. Interim Application is disposed of.

C.V. BHADANG, J.