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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 4110 OF 2021
IN
WRIT PETITION NO. 9102 OF 2016**

Devidas Bhimrao Mundphane

...Applicant/
Petitioner

Versus

Vijay Rajesh Kacharawat

...Respondent

Mr. Drupad Patil, with Suyash Sule, for the Applicant.

CORAM: Smt. Bharati Dangre, J.

DATED: 17th December 2021

P.C.:-

1. On 11.01.2018, following order was passed:

“2. Learned counsel for the Petitioner submits that the suit before the trial Court is dismissed in default, hence he may be permitted to withdraw this Writ Petition with liberty to revive the same, if the suit is restored to its original position.”

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2. On 11.02.2021, the suit is restored to its original number by setting aside the order dated 15.12.2017 under which it was dismissed.

3. On the suit being restored, the Writ Petition is sought to be revived by the present Interim Application.

4. Heard Mr. Patil for the Applicant. In the wake of the order dated 11.01.2018, the relief sought in the Interim Application deserve consideration. In the aforesaid circumstances, the Interim Application is allowed in terms of prayer clause (b):

“(b) This Hon’ble Court further be pleased to recall order dated 11.1.2018 passed by this Hon’ble Court and further be pleased to restore the Writ Petition No. 9102 of 2016 to its original file;”

5. The writ petition is permitted to be circulated for admission after Christmas Vacation.

(Smt. Bharati Dangre, J.)