

Esha

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO.167 OF 2023

NAMDEV RAJARAM GAWDE, REP. BY
PETITIONER NO. 2 AND ANR

... APPLICANTS

Versus

WAMAN SADASHIV JOSHI AND 25 ORS.,

... RESPONDENTS

Applicant No. 2 in person.

Advocate Dhaval Zaveri, Amicus Curiae.

Mr. Prasheen Lotlikar, Advocate for Respondent Nos. 1, 2 and 3.

Mr. Arjun Naik, Advocate for Respondent Nos. 4(a) to 4(h) and 7 to 14.

CORAM:- VALMIKI SA MENEZES, J.

DATED :- 27th April, 2023

P.C.

1. This is an Application for recall of the order dated 05.01.2023 passed by this Court in Civil Revision Application No. 50 of 2019 on the ground that it was passed in the absence of the Applicant No. 2, who appears in person. It is submitted by Applicant No. 2 that inadvertently, the Applicants did not notice the matter on the Board as a consequence of which, the matter was decided in her absence without hearing her.

2. Learned Advocates appearing on behalf of respondent nos. 1, 2 and 3, 4(a) to 4(h) and 7 to 14, have no objection if the order dated 05.01.2023 is recalled and the matter is heard afresh.

3. Accordingly, the order dated 05.01.2023 is recalled on the specific condition that Applicant No. 2 in person, shall argue and attend the hearing of the matter on the next date of hearing and shall not seek adjournment of the same. Order dated 05.01.2023 passed in Civil Revision Application No. 50 of 2019 stands recalled.

4. Place the Civil Revision Application No. 50 of 2019 on the admission board for final disposal on 15.06.2023, which Applicant No. 2 expresses as convenient for her to argue the matter.

5. The Miscellaneous Civil Application is disposed of.

VALMIKI SA MENEZES, J.