

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1738 OF 2023
IN
CIVIL REVISION APPLICATION NO. 661 OF 2008

Gracy Joseph Gomes & OrsApplicants
Versus
Austin Nazareth @ Namy Alex D'SilvaRespondent

Mr. Aayush Kedai/b. Mr. Hiten Venegavkar, Advocate for the Applicants.

None for the respondent.

CORAM : S. G. DIGE, J.

DATE : 23rd FEBRUARY 2023.

P.C. :

1. Heard learned counsel for the applicants.
2. Learned counsel for the applicants submits that by an order dated 15th November 2021, this Court (Coram : A. S. Gadkari, J.) dismissed the civil revision application for non-prosecution. Learned counsel further submits that the applicants were not aware about listing of the matter on that day and without giving fair opportunity to the applicants, the matter is dismissed on that day only. Hence, requested to allow the application.

3. I have heard learned counsel for the applicants, perused the order passed by this Court. This Court, in order dated 15th November 2021, has mentioned that the matter was called out for hearing in morning session, no one was present for the applicants and in the second session also, no one was present for the applicant. Hence, dismissal order is passed for non-prosecution. Civil Revision Application is of the year 2008. The Court has dismissed the application. The applicants were not aware about listing of the matter. Hence, I pass the following order :

1. The application is allowed in terms of prayer clauses (a) and (b) and disposed of.

(S. G. DIGE, J.)