

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.10598 OF 2024 .

IN

WRIT PETITION NO.14878 OF 2023.

Vaibhav Industrial Premises
Co-Operative Society Ltd

...Petitioners.

Versus

Divisonal Joint Registrar
Co-Operative Societies Mumbai
Division And Ors

...Respondents.

*Mr. J. S. Kini a/w. Mr. AVM Kini i/b Ms. Sapna Krishnappa for the
applicant-Petitioners.*

Mr. Pramod Bhosle i/b Rui Danawala for respondent Nos.3 and 4.

Coram : Sharmila U. Deshmukh, J.

Date : 25th September, 2024.

P. C. :

1. Interim Application has been preferred seeking recall of the order dated 28th February 2024 dismissing the petition for non prosecution.
2. Learned counsel for Respondent Nos.3 and 4 objects to the pleadings in the Application as regards service upon the Petitioner, which according to him, is disputed and constitutes allegations.
3. Learned counsel for the Applicant on instructions withdraws the allegations which are made in the application and seeks restoration.

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4. Perusal of the order dated 28th February 2024 indicates that after the order was dictated, junior advocate had appeared, however he did not have proper instructions and therefore the order of dismissal was maintained.
5. Considering the reasons stated in the Interim Application, Interim Application is allowed. Writ Petition is restored to file.
6. List petition for admission on **1st October 2024** under the caption "For Circulation".

[Sharmila U. Deshmukh, J.]