# IN THE HIGH COURT OF JUDICATURE AT BOMBAY
# NAGPUR BENCH : NAGPUR

**CIVIL APPLICATION (CAO) NO.397 OF 2024**
**IN**
**CIVIL APPLICATION (CAO) NO. 876 OF 2019**
**IN**
**MISC. CIVIL APPLICATION (RESTORATION) NO. 25531 OF 2018**
**IN**
**WRIT PETITION NO. 3400 OF 2018**

Hindustan Security and Intelligence Service, Amravati
Vs.
The Assistant Labour Commissioner/Presiding Officer, Akola and Ors.

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| Office notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders. | Court's or Judge's Orders. |
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Mr. V.G. Bhamburkar, Advocate for petitioner.
Ms. P.C. Bawankule, AGP for respondent/State.

**CORAM : N.R. BORKAR, J.**

**DATE : 29.08.2024.**

This is an application for recall of the order passed by this Court dated 25.01.2023. The said order passed by this Court read thus:

> *"The learned counsel for the applicant, on instructions, seeks permission to withdraw the Civil Application (CAO) No.876 of 2019 and MCA (St.) No.25531 of 2018.*
>
> *Both the Civil Applications are disposed of as withdrawn."*

2. The Civil Application No.876/2019 was filed for condonation of delay in filing Misc. Civil Application (St) No.25531/2018, which was filed for restoration of Writ Petition No.3400/2018, filed by the petitioner, which was dismissed for non-removal of office objections.

3. I have heard the learned counsel for the applicant. Inspite of service, none appears for the non-applicants.

4. Learned counsel for the applicant submits that the applications were withdrawn as in the meeting held between the applicant and non-applicant Nos.2 to 8, they insisted that they would settle the matter, only if, the petition filed before this Court is withdrawn. It is submitted that thus matter was withdrawn, however, the non-applicant Nos.2 to 8 are now not willing to settle the matter.

5. Considering the facts that there appears to be no other reason for the applicant to withdraw the matter, I am inclined to recall the order passed by this Court dated 25.01.2023. The order dated 25.01.2023 is accordingly recalled.

**6.** The Civil Application (CAO) No.876/2019 and MCA (St.) No.25531/2018 are restored to their original file subject to payment of cost of Rs.5,000/- by the applicant to the High Court Legal Services Sub-Committee, Nagpur, within a period of four weeks from today.

**7.** The civil application is disposed of accordingly.

**(N.R. BORKAR, J.)**

*Prity*