



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**63 WRIT PETITION NO. 11499 OF 2023
WITH
CIVIL APPLICATION NO. 11645 OF 2024
IN WP/11499/2023**

**ASHRUBA JANKU PARVE DIED THR LRS TRIMBAK AND
OTHERS**

VERSUS

MANIKRAO SURYABHAN PARVE AND OTHERS

...

Advocate for the Petitioner : Mr. D. A. Mane

Advocate for respondent No. 1 : Adv. Shubham S. Kote h/f.

A. V. Hon

Advocate for petitioner in CA No. 11645/2024 : Abasaheb
Shinde

Advocate for respondent No.2 : Mr. P. A. Bharat

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CORAM : KISHORE C. SANT, J.

Dated : February 07, 2025

PER COURT :-

1. Learned Advocate Mr. P. A. Bharat submits that he has received instructions to appear for respondent No.2. Therefore appearance of learned Advocate Mr. Hon for respondent No. 2 stands discharged.

2. The writ petition is filed against an order passed by learned District Judge-1 Jalna, in Miscellaneous Civil Application No. 55 of 2021. By way of the impugned order, the learned Judge refused to restore the review application

bearing No. 120 of 2015 which was dismissed for default by order dated 11.03.2019.

3. The learned Advocate for the respondent has no objection if the review is restored and decided on merits. In view of the above, the impugned order stands quashed and set aside. Review application No. 120 of 2015 stands restored to its original position.

4. The writ petition accordingly stands disposed off.

5. So far as Civil Application No. 11645 of 2024 is concerned, same is filed seeking intervention in the writ petition. In view of the disposal of the writ petition, nothing survives in the present Civil Application. The Civil Application No. 11645 of 2024 stands disposed off.

6. The applicant is at liberty to apply for intervention before the learned District Court. If such application is filed, the same shall be consider on its own merits.

(KISHORE C. SANT, J.)