

---

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

**CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 202 OF 2025**

**IN**

**CIVIL REVISION APPLICATION NO. 230 OF 2019**

Giridhar Shettigar

...Applicant

**Versus**

Vimla G. Shettigar

...Respondent

---

Mr. Jayendra D. Khairnar for the Applicant.

---

**CORAM: MANJUSHA DESHPANDE, J.**

**DATE : 11<sup>th</sup> JUNE 2025**

**P.C.:**

1. By way of this Interim Application, the Applicant seeks a direction to recall the Order dated 29<sup>th</sup> November 2024 passed in Civil Revision Application No.230 of 2019. When the matter was listed on 29<sup>th</sup> November 2024, nobody appeared on behalf of the Applicant and, therefore, the Civil Revision Application was dismissed for want of prosecution.

2. In view of the dismissal of the Civil Revision Application, the present Interim Application is filed by the Applicant, contending that the Advocate appearing for the Applicant in the Civil Revision Application could not keep track of the matter due to being an elderly person aged about 69 years. Since Covid-19, he has had insufficient work, and he has been avoiding long travel; hence, he was not present before this Court. He was unaware of the order

passed by this Court on 22<sup>nd</sup> November 2024, directing to list the matter under the caption "for dismissal" on 29<sup>th</sup> November 2024. According to him, the matter was dismissed on 29<sup>th</sup> November 2024 due to the inadvertence and negligence of the Applicant's Advocate.

3. It is the contention of the learned counsel for the Applicant that the Applicant should not suffer due to the inadvertence and negligence on the part of the Advocate, regarding the Order dated 29<sup>th</sup> November 2024. It is further contended that he came to know about the dismissal of the Application on 09<sup>th</sup> December 2024, and immediately he filed the present Interim Application for restoration of the Civil Revision Application; hence, there is no delay.

4. For the reasons stated in the Application, I am satisfied that there are reasonable grounds for recalling the order. Accordingly, the Order dated 29<sup>th</sup> November 2024, passed in Civil Revision Application No. 230 of 2019, is recalled. Let the Civil Revision Application be restored to its file.

5. Interim Application is accordingly disposed of.

**[MANJUSHA DESHPANDE, J.]**