IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

915 CIVIL APPLICATION NO. 9076 OF 2026
IN WP/5940/2026

Shobha Pandurang Salunke

VERSUS

Jagjivanram Co Operative Housing Society Ltd Thr Its Chairman And Anr

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Adv.C.V. Thombre h/f Ms.Jyoti Sadawarte for Applicant.

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CORAM : MANJUSHA DESHPANDE, J.

DATE : 23.10.2026

PER COURT :

1. This Application is filed for recall of order passed by this Court on 13.07.2026.

2. The learned Advocate for the Applicant submits that this Court had issued notice on 15.06.2026, making it returnable on 13.07.2026, and interim protection that was granted by the Appellate Court by order dated 06.05.2026 was directed to remain in force till the returnable date, that is on 13.07.2026.

3. It is submitted that on 13.07.2026, when the matter was listed before this Court, an order came to be passed by this Court directing to supply spare copies for serving the Respondents within a period of two weeks, and on failure to supply the copies within stipulated period, the Petition shall stand dismissed automatically without reference to the Court.

4. The learned Advocate for the Applicant submits that when the notice was issued, appearance was caused on behalf of one Advocate on behalf of Respondent No.2. Therefore, the spare copies were required to be supplied for issuance of notice to the Respondent No. 1. It is submitted that the Applicant failed to take note of the order passed by this Court and, therefore, he was not aware of the order dated 13.07.2026, as a result of which the spare copies could not be supplied for issuance of notice. As a result of the conditional order, the writ petition was dismissed for failure to supply the spare copies. It is submitted that the Applicant came to know about the order on 29.07.2026, when he reached the office to supply the spare copy. Therefore, he has immediately filed the application for recall of the order on 30.07.2026. Hence, there is no delay in filing the application. It is submitted that on account of the *bona fide* mistake of the Applicant, the order of dismiss for taking steps has come into operation.

5. The learned Advocate for the Applicant undertakes to supply the spare copy as directed by this Court in order dated 13.07.2026 within a period of one week if the writ petition is restored.

6. In view of the submission made by the learned Advocate for the Applicant, the Civil Application is allowed in terms of Prayer Clause [B] and accordingly stands disposed off.

[MANJUSHA DESHPANDE, J.]