

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1622 OF 2015
IN
SECOND APPEAL NO.415 OF 1995**

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.VB.Rajure for the applicant

Mr.PD.Dalvi for the respondent nos.1 to 3

CORAM : K.K.TATED, J.

DATED : 14/10/2015

PC:

- 1 Heard the learned counsel for the parties.
- 2 This application is for restoration of Second Appeal No.415 of 1995 which was dismissed for non-compliance of conditional order dated 2.12.2014 passed by this court.
- 3 The learned counsel for the applicant submits that inadvertently it remained on their part to take appropriate steps to comply the earlier order. He submits that in the interest of Justice, this Honourable Court be pleased to grant four weeks time to comply the said order.
- 4 Considering the submissions made by the learned counsel for the applicant and the

averments made in Civil Application, I am satisfied that the applicant has made out a case for allowing Civil Application. Hence, following order is passed:

- a) Second Appeal No.415 of 1995 is restored on file for hearing on its own merits.
- b) Time is granted till 30.11.2015 to comply the order dated 2.12.2014 passed by this court (Coram: K.K.Tated, J.) failing which Civil Application shall stand dismissed without referring back to the court.
- c) Civil Application stands disposed of accordingly.

(K.K.TATED, J.)