

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

**CIVIL APPLICATION NO.4154 OF 2014
IN
FIRST APPEAL NO.705 OF 2010**

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.Nitin P. Dalvi i/b Mr.Abhaysingh A. Shinde
for the applicant

Mr.Rahul Walvekar for the respondent

CORAM : K.K.TATED, J.
DATED : 07/08/2015

PC:

1 Not on board. By consent of both the parties, matter is taken on board for final hearing.

2 This application is preferred by defendant for restoration of Civil Application No.2321 of 2014 which was dismissed for default by order dated 5.11.2014.

3 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

a) Order dated 5.11.2014 passed by this court is

recalled.

b) Civil Application No.2321 of 2014 is restored on file for hearing on its own merits.

c) Civil application stands disposed off accordingly.

(K.K.TATED, J.)