

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4312 OF 2015
IN
FIRST APPEAL NO.1435 OF 2012

Hasnoddin Hajimiyan Inamdar ... Applicant
vs.
Banobi Saifoddin Punawale and Another ... Respondents

Mr. S.K. Shinde i/b. Mr. T.D. Deshmukh, for the Applicant
Mr. P. Bhargude i/b. Mr. S.B. Deshmukh, for Respondent Nos. 1
and 2.

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **21st DECEMBER, 2015**

P.C.:

. Not on board. Upon mentioning taken on board.

2. This application is moved for restoration of the Appeal which was dismissed by the order dated 1st April, 2014 as the order of filing private paper book was not complied with.

3. The order dated 1st April, 2014 is hereby recalled and the Appeal is restored to its original file along with the application if any.

4. In view of the order passed in Writ Petition(L) No. 228 of 2012 in the case of “*Vikas Baburao Sonawane vs. State of Maharashtra and Others*” the application for Restoration is to be treated as Review Petition.

5. The learned counsel for the Applicant submits that the value of the Appeal is below one Crore. The learned counsel for Respondents is present and he submits that the Respondents have returned the papers.

6. In view of this submission, the Registry is hereby directed to send the Appeal along with the proceeding to the District Court, Solapur on or before 22nd January, 2016. The parties to appear before the concerned District Judge to whom the matter is assigned on 29th January, 2016 at 11.00 am. The learned Judge to issue notice to the Respondents when the matter will be kept for hearing.

(MRS.MRIDULA BHATKAR, J.)