

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

**CIVIL APPLICATION NO.748 OF 2015
IN
APPEAL FROM ORDER NO.1338 OF 2013**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
---	----------------------------

Mr.Sudhir Vasant Somalwar for the applicant

CORAM : K.K.TATED, J.
DATED : 09/06/2015

PC:

- 1 Heard the learned counsel for the applicant.
 - 2 It is not necessary to issue notice to the respondent because the present Civil Application is for restoration of Appeal from Order which was dismissed for default by order dated 18.1.2014 before issuing notice to the contesting party.
 - 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) Delay in preferring the present Civil Application

is condoned.

b) Appeal from Order No.1338 of 2013 is restored on file by recalling the order dated 18.1.2014.

c) Civil application stands disposed off accordingly.

(K.K.TATED, J.)