

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

**CIVIL APPLICATION NO. 1175 OF 2014
IN
CIVIL APPLICATION NO. 1245 OF 2008
IN
SECOND APPEAL NO. 772 OF 2001**

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. Nachiket Khaladkar for the applicant.
None for the respondents.

**CORAM : K. K. TATED, J.
DATED : 01/10/2015.**

PC.:

. Heard learned Counsel for the applicant. None for the respondents, though duly served.

2 Office note shows that Civil Application stands dismissed against Respondent nos. 8 and 9. Hence, office is directed to make appropriate endorsement in Civil Application no. 1245 of 2008 to that effect.

3 This application is for restoration of Civil Application no. 1245 of 2008 which was dismissed for non prosecution by this Court by order dated 07.12.2010.

4 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, at the same time, applicant to pay cost of Rs.3500/-.

5 Hence, following order is passed:

a) Delay in preferring the Civil Application is condoned.

b) Order dated 07.12.2010 passed by this Court is recalled.

c) Civil Application no. 1245 of 2008 is restored on file for hearing on its own merits.

d) Office is directed to make appropriate endorsement in Civil Application no. 1245 of 2008 that same stands dismissed against respondent nos. 8 and 9.

e) Applicant to pay cost of Rs.3500/-.

f) Cost to be deposited in the office of the Maharashtra State Legal Services Authority, High Court, Bombay, within four weeks from today, failing which the matter shall stand dismissed without further reference to the court.

g) Civil application stands disposed off accordingly.

(K.K.TATED, J.)

CERTIFICATE

Certified to be true and correct copy of the
original signed order.