

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

**CIVIL APPLICATION NO. 1051 OF 2015
IN
FIRST APPEAL NO. 1728 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. Amol Gatne for the applicant.

Mrs. P. K. Gupta i/b S.A. Vaidya for the respondent no.1.

CORAM : K. K. TATED, J.

DATED : 17/03/2015.

P.C.:

. Not on board. At the request of Advocate for the applicant, matter is taken on board for urgent orders.

2 Heard learned Counsel for the parties.

3 This application is preferred by insurance company for restoration of First Appeal no. 1728 of 2010, which was dismissed in view of conditional order dated 01.12.2010 passed by this Court (Coram: A.S. Oka, J.) for non filing of private paper book.

4 The learned Counsel for the applicant submits

that applicant is ready and willing to file private paper book within four weeks from today. Statement is accepted.

5 Considering the submissions made by learned counsel for the applicant and averments made in civil application, I am satisfied that applicant has made out the case for allowing the civil application, but at the same time, applicant to pay cost of Rs.1,200/- to the respondent no.1 or his Advocate within two weeks from today.

6 Hence, the following order.

a) Four weeks time is extended from today to comply the order dated 01.12.2010 passed by this Court (Coram : A.S. Oka, J.).

b) First Appeal no. 1728 of 2010 is restored on file for hearing on its own merits.

c) Applicant to pay cost of Rs.1,200/- to the respondent no.1 or his Advocate within two weeks from today, failing which civil application shall stand dismissed without referring back to the court .

d) Civil Application is disposed of accordingly.

(K.K.TATED, J.)