

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

CIVIL APPLICATION NO.502/2015
IN
APPEAL FROM ORDER (ST) NO.31193/2013

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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Ms. Akshaya Chivilkar a/w. Nakoo Jain and Harsh Behany i/b. Maniar Srivastava Associates for the Applicant

Mr. Ashutosh Kaushik i/b. M/s. Kaushik & Co. for the Respondent No.1.

CORAM : K. K. TATED, J.

DATE : JUNE 29, 2015

P.C.:

1. Heard. This Application is for restoration of Appeal from Order (ST) No.31193/2015 which was dismissed in view of conditional order dated 19/01/2015 for non payment of cost within stipulated time. The learned counsel for the Applicant submits that they paid cost of Rs.250/- to Respondent No.1 on last date i.e. 02/02/2015 at 6.50 pm, however, it remained on their part to inform the same to the Registry of this court.

2. 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, the Applicant has to pay cost of Rs.2500/- to Respondent No.1 within 3 weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

3. Hence, the following order:

a) Appeal from Order (ST) No.31193/2013 is restored to file for hearing on its own merit.

b) The Applicant has to pay cost of Rs.2500/- to Respondent No.1 within 3 weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

c) Civil application stands disposed off accordingly.

JUDGE