

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.475 OF 2015
IN
APPEAL FROM ORDER NO.200 OF 2015

Sitaram Sawataji Mandlik and Ors. .. Applicants

-Versus-

Jayant Waman Bhedsangaonkar
and Ors. .. Respondents

Mr. Jaydeep Deo for applicants

Mr.Ravindra Pachundkar for respondent No.7

CORAM : K.K.TATED, J.
DATE : 20th March 2015.

P.C.

1] Heard the learned Counsel for the applicant and learned Counsel for respondent No.7.

2] This application is preferred by the original plaintiff for restoration of Appeal From Order No.200 of 2015 as well as civil application No.259 of 2015, both of which were dismissed in view of the conditional order dated 25th February 2015 passed by this Court for non payment of Bhatta charges within the stipulated time.

3] Learned Counsel for the applicants submits that the Bhatta

was actually paid on 10th March 2015 but there was delay of about two weeks for payment of Bhatta charges.

4] Considering the submissions made by the learned Counsel for the applicant and the averments made in the civil application, I am satisfied that the applicant has made out a case for allowing the civil application. Hence, following order:-

(a) A.O. No.200 of 2015 with C.A.No.259 of 2015 both are restored to file;

(b) Office is directed to accept the Bhatta charges which was already paid by the applicant and issue notice to respondents in Appeal from Order No.200 of 2015 with Civil Application No.259 of 2015;

(c) Ad-interim order which was granted by this Court on 17th February 2015 to stand restored and continued till further orders;

(d) Application is disposed of.

(K.K.TATED, J.)