

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

**CIVIL APPLICATION NO. 1473 OF 2015
IN
FIRST APPEAL (ST) NO. 28893 OF 2014**

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. Datta Mane i/b Apoorv Singh for the applicant.
Mr. Iram Saba Shaikh i/b T. J. Pandian for the respondent.

**CORAM : K. K. TATED, J.
DATED : 15/04/2015**

RC.:

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

2 This Application is preferred by the claimants for restoration of Civil Application no. 152 of 2015 which was stands dismissed in view of conditional order dated 22.01.2015 passed by this Court for non payment of Bhatta charges.

3 The learned counsel for the applicant submits that pursuant to the order dated 22.01.2015, they served the respondents by private notice on 23.02.2015. He submits that acknowledgement to that effect is on page 9 of present Civil Application. He submits that by mistake, Bhatta Charges was

not paid within stipulated time. He submits that in the interest of justice, this Hon'ble Court be pleased to restore the Civil Application no. 152 of 2015 on file and allow the applicant to pay Bhatta charges. He submits that if present Civil Application is not allowed, irreparable loss and injury will be caused to the applicant. He submits that applicant has good chance of success in the present proceeding.

4 I heard learned counsel for the applicant at length. Considering the fact that applicant duly served the respondents by private notice on 23.02.2015, I am satisfied that applicant has made out case for allowing Civil Application.

5 Hence, the following order.

a) Delay in preferring present Civil Application is condoned.

b) Civil Application no. 152 of 2015 is restored on file.

c) Two weeks time from today is granted to the applicant to pay Bhatta Charges as per order dated 22.01.2015.

d) Civil Application is disposed of accordingly.

(K.K.TATED, J.)