

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.114 OF 2015
IN
CIVIL APPLICATION NO.565 OF 2015
IN
APPEAL FROM ORDER (ST) NO.8035 of 2015**

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.Rohan Agrawal i/b M/s.Argus Partners for the applicant

None for the respondent

CORAM : K.K.TATED, J.
DATED : 27/07/2015

PC:

- 1 Heard the learned counsel for the applicant.
- 2 Though respondents are duly served, no one appeared on behalf of them when the matter was called out.
- 3 Advocate for the applicant has filed affidavit of service dated 22.6.2015. Same is taken on record and marked 'X' for identification.
- 4 This application is for restoration of Civil Application No.565 of 2015 which was dismissed as per order dated 22.4.2015 passed by learned Registrar (Judicial-II) for non-compliance of conditional order dated 6.4.2015 passed by this

court.

5 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. Hence, following order:

- a) Order dated 22.4.2015 passed by learned Registrar (Judicial-II) is set aside.
- b) Civil Application No.565 of 2015 (for delay) is restored on file for hearing on its own merits by modifying the earlier order dated 6.4.2015.
- c) Office is directed to place Civil Application No.565 of 2015 on board on 25.8.2015.
- d) Civil application stands disposed off accordingly.

(K.K.TATED, J.)