

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

**CIVIL APPLICATION NO. 1001 OF 2015
IN
APPEAL FROM ORDER NO. 261 OF 2011**

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. Prem Sood i/b H.S. Thakkar for the applicant.
Mr. R. M. Pandey for the respondent no.2 to 5.

**CORAM : K. K. TATED, J.
DATED : 03/08/2015.**

P.C.:

. Heard learned Counsel for the parties.

2 Though the respondent no.1 is duly served, no one appeared on behalf of him, when the matter called out.

3 This Application is preferred by the plaintiff for restoration of Appeal from Order no. 261 of 2011, which was dismissed for default by order dated 18.06.2015.

4 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.

5 Hence, the following order:

a) Delay in preferring the Civil Application is condoned.

b) Order dated 18.06.2015 passed by this Court is recalled.

c) Appeal from Order no. 261 of 2011 is restored on file for hearing on its own merits.

d) Civil application stands disposed off accordingly.

(K.K.TATED, J.)