

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
CIVIL APPLICATION NO.1350 OF 2015  
IN  
APPEAL FROM ORDER NO.228 OF 2015**

Akhalak Hussain Dawood Khot & Ors. .. Appellants.

Versus

Dhanraj Balram Mhatre and Ors. ..Respondents

.....

Mr. Pradip K. Patole i/b Mr. S. S. Patwardhan for the Appellant.

**CORAM: MRS. MRIDULA BHATKAR, J.  
DATED: 6<sup>th</sup> OCTOBER, 2015.**

**P. C. :**

. Application is made for recalling the conditional order dated 23/2/2015 and praying for restoring Appeal from Order No.228 of 2015.

2. Learned Counsel submits that before issuing notice the matter was dismissed for non compliance of the order. Learned Counsel submits that he is ready to comply with the order and said Appeal from Order be restored .

3. For the reason mentioned in the application, application is allowed. Order dated 23/2/2015 is recalled and Appeal from Order

No.228 of 2015 is restored to the file along with earlier orders. However, the counsel to comply with the order within 6 weeks from today and if not complied with, Appeal from Order No.228 of 2015 be dismissed without referring to the Court.

4. Stand over to 24/11/2015.

**(MRS. MRIDULA BHATKAR, J.)**

**C E R T I F I C A T E**

“ Certified to be true and correct copy of the original signed Judgment/Order.”