

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

**CIVIL APPLICATION NO.3489 OF 2012
IN
FIRST APPEAL NO.2672 OF 2006**

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.Nitin Deshpande for the applicant

None for the respondent

CORAM : K.K.TATED, J.
DATED : 12/08/2015

PC:

- 1 Heard the learned counsel for the applicant.
- 2 None for the respondent though duly served.
- 3 This application is preferred by plaintiff for restoration of First Appeal No.2672 of 2006 which was dismissed in view of conditional order dated 10.1.2007 passed by this court for non-filing of private paper book.
- 4 The learned counsel for the applicant submits that applicant undertakes to file private paper book within four weeks from today. Same is accepted.
- 5 Considering the submissions made by the learned counsel for the Applicant, the averments made in the Application and as applicant is ready

and willing to file private paper book within four weeks from today, following order is passed:

- a) Time to comply the order dated 10.1.2007 passed by this court is extended till 14.9.2015, failing which Civil Application shall stand dismissed without referring back to the court.
- b) If private paper book is filed within stipulated time as stated hereinabove, office is directed to verify whether matter requires to be transferred to the District Court as per insertion of section 28-B of the Maharashtra Civil Courts Act, 1869. If yes, office is directed to take appropriate steps immediately to that effect.
- c) Civil application stands disposed off accordingly.

(K.K.TATED, J.)