

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

CIVIL APPLICATION NO.607 OF 2015

IN

CIVIL REVISION APPLICATION NO.43 OF 1999

Singh Hindustan Marine and others

.. Applicants

Versus

Board of Trustees of Bombay Port Trust and others

.. Respondents

Mr. Balasaheb Deshmukh, for the Applicants.

Miss. Prachi Sawant i/by M. V. Kini & Co., for the Respondents.

CORAM : R.M. SAVANT, J.

DATE : 1st DECEMBER, 2015

PC.

1. The above Civil Application has been filed for restoration of the above Civil Revision Application which has stood dismissed for non-prosecution on account of the conditional order dated passed by the Learned Registrar Judicial-I of this Court. The above Civil Revision Application was admitted on 04.02.1999 and was pending hearing and final disposal when it came to be dismissed on account of the conditional order passed by the Learned Registrar Judicial-I of this Court. The Respondent No.1 is the main contesting Respondent, whereas the Respondent Nos.2 and 3 have already been deleted and therefore there was no question of payment of Bhatta. The above Civil Application

however has been filed in July 2015 when the Civil Revision Application stood dismissed in or about January 2014. Hence though the Civil Application is required to be allowed and is accordingly allowed. The Applicants to pay costs of Rs.5000/- to the Respondents within four weeks from date. The Civil Application is accordingly disposed of. List the Civil Revision Application for final hearing after the ensuing Christmas Vacation in the week commencing 08.02.2016.

[R.M. SAVANT, J]