

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

**CIVIL APPLICATION NO. 4857 OF 2013
IN
FIRST APPEAL NO. 900 OF 2010**

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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Ms. P. P. Madhavani i/b V. T. Lulia for the applicant.
Mrs. Malavankar for the respondent.

**CORAM : K. K. TATED, J.
DATED : 18/02/2015.**

P.C.:

. Heard learned Counsel for the parties.

2 This Application is preferred by the original defendant nos. 3 and 4 for restoration of First Appeal no. 900 of 2010 which was dismissed in view of conditional order dated 21.10.2010 passed by learned Registrar (Judicial-I) for non payment of Bhatta Charges, printing charges and supply of copies.

3 The learned counsel for the applicant submits that because of mistake on the part of their clerk, it remains to pay Bhatta Charges. She submits that applicant undertakes to pay Bhatta Charges and comply the order dated 21.10.2010 within two weeks from today. Same is accepted.

4 Considering the submissions made by the learned counsel for the Applicant and statement made by the learned counsel for the applicant before this court, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

5 Hence, the following order:

a) Order dated 21.10.2010 passed by learned Registrar (Judicial-I), is set aside.

b) Two weeks time granted to the applicant to comply the order dated 21.10.2010, failing which the matter shall stand dismissed without further reference to the court.

c) If Bhatta charges are paid within stipulated time as stated herein above, office is directed to issue notices to the respondents, returnable after 12 weeks.

c) Civil application stands disposed off accordingly.

(K.K.TATED, J.)