

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

**CIVIL APPLICATION NO. 1245 OF 2015
IN
SECOND APPEAL (ST.) NO. 30036 OF 2014**

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. Nirav Shah i/b Little & Co. for the applicant.

**CORAM : K. K. TATED, J.
DATED : 14/08/2015.**

PC.:

. Not on board. At the request of Advocate for the applicant, matter is taken on board for urgent orders.

2 This application is for restoration of Civil Application no. 1525 of 2014 and Second Appeal (ST.) no. 30069 of 2014, which were dismissed in view of conditional order dated 26.03.2015 passed by this court for non payment of Bhatta Charges.

3 The learned Counsel for the applicant submits that due to inadvertently and oversight the order of payment of Bhatta Charges could not be complied. He submits that their Court clerk was suddenly went to the native place on 29.03.2015 due to death of his mother. In support of this contention, the learned Counsel for the applicant placed on record the death

certificate dated 30.04.2015.

4 The learned Counsel for the applicant submits that they are ready and willing to pay Bhatta Charges immediately. He submits that if Civil Application is not allowed irreparable loss and injury will be caused to the applicant. He submits that they have good chance of success in the present proceeding.

5 Considering the submissions made by learned counsel for the applicant and the reasons disclosed in paragraph 8 of civil application, I am satisfied that applicant has made out the case for allowing the civil application.

6 Hence, the following order is passed:

a) Time is extended till 01.09.2015 to comply the order dated 26.03.2015 passed by this Court in Civil Application no. 1525 of 2014.

b) Civil Application no. 1525 of 2014 with Second Appeal (ST.) no. 30069 of 2014, are restored on file.

c) Order dated 07.07.2015 passed by learned Registrar (Judicial – II) is set aside.

d) Civil Application stands disposed of accordingly.

(K.K.TATED, J.)