

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

CIVIL APPLICATION NO.1522/2015
IN
CIVIL APPLICATION NO.1201/2014
IN
SECOND APPEAL (ST) NO.3597/2014

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. Mandar Limaye for the Applicant

CORAM : K. K. TATED, J.
DATE : OCTOBER 8, 2015

P.C.:

1. Heard. This Application is for restoration of the Civil Application No.1201/2014 against Respondent No.1 which was dismissed vide order dated 10/04/2015 passed by the Registrar (Judicial-II) for non removal of office objections within stipulated time.

2. The learned counsel for the Applicant submits that now the Applicant found the present correct address of Respondent No.1 as stated in paragraph 3a of the Civil Application. He submits that the order dated 10/04/2015 passed by the Registrar (Judicial-II) be set aside and the Civil

Application No.1201/2014 be restored to file against Respondent No.1. He further submits that the Registry may be directed to issue fresh notice to the Respondent No.1 on present correct address as stated in paragraph 3a of the Civil Application.

3. Considering the submissions made by the learned counsel for the Applicant, the averments made in the Application and as the Applicant has given present correct address of the Respondent No.1 in paragraph 3a of the Civil Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

4. Hence, the following order:

- a) Delay in making the Civil Application is condoned.
- b) Order dated 10/04/2015 passed by the Registrar (Judicial-II) is set aside.
- c) Civil Application No.1201/2014 is restored to file against Respondent No.1.
- d) The Applicant is permitted to carry out appropriate amendment in Civil Application No.1201/2014 by providing present correct address of Respondent No.1 within 4 weeks from today.
- e) If appropriate amendment is carried out

within stipulated time as stated hereinabove, Office is directed to issue fresh notice to Respondent No.1 on present correct address as stated in paragraph 3a of the Civil Application, returnable after 10 weeks.

f) In addition to usual mode of service, the Applicant is permitted to serve the Respondent No.1 by way of private notice either by RPAD and/or by hand delivery and to file an Affidavit of service to that effect on or before next date, in Civil Application No.1201/2014.

g) Civil application stands disposed off accordingly.

JUDGE

CERTIFICATE

Certified to be true and correct copy of the original
signed order.