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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2794 OF 2015
IN
WRIT PETITION NO.11025 OF 2013

Asset Reconstruction Company ... Applicant

Versus

Florita Buildcon Private Limited and Ors. ... Respondents

Mr. Rohit Gupta and Mr. Vinod Kothari i/by M/s. Apex Law Partners, for the Applicant in CAW No.2794 of 2015.

Mr. Nikhil Rajani and Mr. Nilesh Bamne i/by V. Deshpande & Co., for Respondent No.1.

CORAM : A.S. OKA &
V.L. ACHLIYA, JJ.

DATE : 29th OCTOBER, 2015

PC.

. Heard the learned counsel appearing for the Applicant and the learned counsel appearing for the first Respondent. Perused the order dated 19th October, 2015 passed in the Writ Petition. The learned counsel appearing for the Applicant/ Writ Petitioner tenders across the Bar a letter dated 28th October, 2015 addressed to the applicant by the Advocate for the Applicant in the Apex Court. The same is taken on record and marked 'A-1' for identification. He states that I.A. No.3 of

2015 filed by the Applicant/ Petitioner has been allowed by the Apex Court and time granted to this Court to dispose of the Writ Petition has been extended till 31st April, 2016. He, however, states that a copy of the order of the Apex Court is not yet ready. We accept the said statement made by the learned counsel appearing for the Applicant on instructions.

2. We have perused the averments made in the application. In view of the averments made in the application, a case for restoration is made out. Accordingly, the application is allowed in terms of prayer clauses (a) to (c.) Notice shall be published in terms of the prayer clause (c) in daily Loksatta and Times of India. Publication notice is made returnable on 9th December, 2015. Publication shall be at the cost of the Applicant. If adequate number of copies of the newspapers are not filed on record on or before 27th November, 2015, the main Writ Petition shall stand dismissed for non-prosecution without further reference to the Court. If publication is effected, the main Writ Petition shall be placed on board on the returnable date under the caption of directions for fixing a date of hearing.

3. Application is disposed of on above terms.

(VL. ACHLIYA, J)

(A.S. OKA, J)