

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

**CIVIL APPLICATION NO.3958 OF 2014
IN
FIRST APPEAL NO.568 OF 2001**

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.A.R.Patil, A.G.P. for the applicant

CORAM : K.K.TATED, J.
DATED : 25/02/2015

PC:

- 1 Heard the learned A.G.P. for the applicant.
- 2 This application is preferred by State of Maharashtra for restoration of First Appeal No.568 of 2001 against respondent no.2.
- 3 The learned A.G.P. for the applicant submits that in view of conditional order dated 5.5.2014 passed by learned Registrar (Judicial-II) First Appeal stands dismissed against respondent no.2. He submits that now the applicant received the present correct address of respondent no.2. He submits that in the interest of justice, this Hon'ble Court be pleased to restore First Appeal against respondent no.2 with liberty to carry out appropriate amendment in cause title of First

Appeal as well as pending Civil Application by providing present correct address of respondent no.2. He submits that they have good chance of success in the present proceeding.

4 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, the following order:

- a) Delay in preferring Civil Application is condoned.
- b) Interim order dated 5.5.2015 passed by learned Registrar (Judicial-II) is set aside.
- c) First Appeal No.568 of 2001 is restored against respondent no.2.
- d) Applicant permitted to carry out appropriate amendment in cause title of First Appeal as well as pending Civil Application by providing present correct address of respondent no.2.
- e) Amendment be carried out within four weeks from today.
- f) Civil application stands disposed off accordingly.

(K.K.TATED, J.)