

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

CIVIL APPLICATION NO.646 OF 2015

IN

CIVIL REVISION APPLICATION NO.937 OF 2014

Smt. Patricia Mery Britto alias

Smt. Patricia Mery Hansen

.. Applicant

Versus

Mr. Cheri Chakiyal Chandy

.. Respondent

Mr. A. L. Bhise i/by Mrs. Shweta Nishawan, for the Applicant.

CORAM : R.M. SAVANT, J.

DATE : 14th DECEMBER, 2015

PC.

1. The above Civil Application has been filed for restoration of the above Writ Petition which has stood dismissed for non-prosecution on account of the conditional order dated 13.08.2014 passed by the Learned Registrar, Judicial-II of this Court. By the said order, the Petitioner was granted four weeks time to pay the Bhatta charges, failing which the Civil Revision Application was to stand dismissed for non-prosecution. In view of the default committed, the Civil Revision Application has been dismissed for non-prosecution. In my view, since the Civil Revision Application has been dismissed for non-prosecution on a technical ground, the above Civil Application is required to be allowed and is accordingly

allowed. Resultantly, the Civil Revision Application is restored to file. In view of the fact that the need to pay Bhatta charges has now been obviated in view of the Practice Note No.39 dated 12th June 2015, the Petitioner has to supply only the copies of the above Civil Revision Application. The Petitioner to do so within two weeks from date, the returnable date is accordingly extended by six weeks.

[R.M. SAVANT, J]