

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1482 OF 2014
IN
SECOND APPEAL NO. 295 OF 2011**

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. Drupad S. Patil, Advocate for Applicant.

Mr. Balasaheb G Ligade, Advocate for respondents no.5, 7 to 9, 15.

Ms. Pooja Singh i/b Mr. N.R.Bubna, Advocate for Respondent no.6.

CORAM: R.G.KETKAR, J.

DATE : 24/04/2015

PC:

1. Heard Mr. Drupad Patil, learned counsel for the applicant, Mr Balasaheb Ligade, learned counsel for respondents no.5,7 to 9, 15 and Ms. Pooja Singh, learned counsel for the respondent no.6. Mr.Patil states that all the respondents are duly served.

2. This is an application for recalling the order dated 16.1.2014 after condoning delay of 154 days in filing this application and for extending time for carrying out necessary amendment in

cause title as per the order dated 18.2.2012 passed in Civil Application No. 2094 of 2012.

3. Ms Singh Opposes the application on the ground that though the Appeal was dismissed on 16.1.2014, present application is taken out in November, 2014. No sufficient cause is made out for condoning the delay.

4. As noted earlier, by order dated 8.12.2012, Civil Application No.2094 of 2012 was allowed. The applicant was directed to carry out amendment within four weeks from that date. It appears that the matter was thereafter appeared on 6.8.2012. The applicant did not carry out amendment. The matter thereafter appeared for admission on 16.1.2014 when on the ground of absence of Advocate, Second Appeal was dismissed for default. No reply is filed opposing the application.

5. In view thereof and for the reasons stated in the application, the applicant

has made out sufficient cause for condoning the delay. The Civil Application is allowed in terms of prayers clause (a),(b) and (c) with no order as to costs. Second Appeal No.295 of 2011 is restored to the file of this Court.

6. Time to carry out amendment in cause title of Civil Application No.2094 of 2012 is extended by six weeks from today.

(R.G.KETKAR, J.)