

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

**CIVIL APPLICATION NO.4176 OF 2014  
IN  
FIRST APPEAL NO.2025 OF 2006**

|                                                                                                           |                            |
|-----------------------------------------------------------------------------------------------------------|----------------------------|
| 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.Amit Borkar for the applicant

Mr.Avinash Belge i/b Mr.S.S.Pakale for the respondent

**CORAM : K.K.TATED, J.**  
**DATED : 11/03/2015**

**PC:**

- 1 Heard the learned counsel for the applicant.
- 2 Advocate for the respondent submits that they do not have any instruction from the respondent to appear in this matter.
- 3 This application is for restoration of First Appeal No.2025 of 2006 which was dismissed in view of order dated 31.01.2007 passed by this court for non-filing of private paper book within one year.
- 4 Considering these facts, following order is passed:
  - a Rule.

- b Rule made returnable after 6 weeks.
- c In addition to usual mode of service, Applicant is permitted to serve respondent by private notice either by registered post A.D. and/or by hand delivery and file Affidavit of Service to that effect.
- d If bhatta charges are not paid within stipulated time, the Civil Application shall stand dismissed without further reference to the court.

**(K.K.TATED, J.)**