

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

**CIVIL APPLICATION NO.1968 OF 2015
IN
FIRST APPEAL NO.1400 OF 2012**

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.Samrat Shinde i/b Mr.T.D.Deshmukh for the applicant

Mr.Niranjan Parekh with Mr.Akshay D. Naik with Ms.Priyanka Gokhale i/b M/s.Mansukhlal Hiralal and Co. for the respondent

CORAM : K.K.TATED, J.
DATED : 17/06/2015

PC:

- 1 Heard the learned counsel for the parties.
- 2 In the morning session when the matter was called out advocate for the respondent requested to keep back the same so that he can go through the proceedings.
- 3 This application is for restoration of First Appeal No.1400 of 2012 which was dismissed in view of order passed by Registrar (Judicial-II) dated 8.8.2014.
- 4 The learned counsel for the applicant submits that applicants are ready and willing to deposit printing charges within four weeks from today.
- 5 Statement is accepted.

6 The learned counsel for the respondent vehemently opposed the present Civil Application.

7 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, following order:

A) Civil Application is allowed in terms of prayer clause (b) and (c) which read thus:

(b) Filing of affidavit in support of this Civil Application may kindly be dispensed with;

(c) This Hon'ble court may kindly be pleased to recall the order dated 8.8.2014 passed by Ld.Registrar (Judicial-II) and further be pleased to restore the First Appeal No.1400 of 2012 to its file;

B) Applicant to remove all office objections as per order dated 8.8.2014 passed by Registrar (Judicial-II) within four weeks from today, failing which Civil Application shall stand dismissed without referring back to the court.

C) Civil application stands disposed of accordingly.

(K.K.TATED, J.)