

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

**CIVIL APPLICATION NO.127 OF 2015
IN
FIRST APPEAL (ST). NO.28016 OF 2009**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
---	----------------------------

Mr.Omprakash Paranjape i/b Mr.Avinash M. Gokhale for the applicant

Mr.Ketan Joshi for respondent no.2

CORAM : K.K.TATED, J.
DATED : 06/02/2015

PC:

- 1 Heard the learned counsel for the applicant.
- 2 The learned counsel Mr.Ketan Joshi states that he received instructions to appear on behalf of respondent no.2.
- 3 This application is preferred by original claimant for restoration of Civil Application No.1070 of 2008 which was dismissed in view of conditional order dated 30.09.2010.
- 4 Considering the submissions made by the learned counsel for the applicant and the averments made in Civil Application, I am satisfied that the applicant has made out a case

for allowing Civil Application. Hence, following order:

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

“(a) Delay in filing the present Civil Application be condoned;

(b) Civil Application No.1070 of 2008 in First Appeal Stamp No.28016/2009 be restored back to the file.”

B) Civil Application is disposed of accordingly.

C) Office is directed to place Civil Application No.1070 of 2008 on board for orders on 27.02.2015.

(K.K.TATED, J.)