

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE SIDE JURISDICTION.

CIVIL APPLICATION NO.4858 OF 2013
IN
FIRST APPEAL NO. 3 OF 2009

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. Pankaj Kowli i/b. K. K. Pandey for the Applicant
Mrs. M. R. Bhoir for Municipal Corporation.

CORAM : K. K. TATED, J.

DATE : FEBRUARY 26, 2015

P.C.:

1. Heard. This Application is for restoration of the Civil Application No.2577/2013 which was dismissed for default by order dated 15/10/2013. The learned counsel for the Applicant submits that they preferred Civil Application No.2577/2013 for fixing early date of hearing of the First Appeal.

2. The learned counsel for the Municipal Corporation vehemently opposed the Civil Application. She submits that the Applicant has not shown sufficient cause for allowing the Civil Application. Hence, same be dismissed.

3. 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.

4. Hence, the following order:

- a) Order dated 15/10/2013 passed by this court is recalled.
- b) Civil Application No.2577/2013 is restored to file for hearing on its own merits.
- c) Civil application stands disposed off accordingly.

JUDGE