

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

**CIVIL APPLICATION NO. 1649 OF 2014
IN
SECOND APPEAL (ST) NO. 4889 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. R. A. Thorat, Sr. Counsel i/b Nilesh Patil & Ravi Kadam for the applicant.

Mr. Satyajeet Joshi for the respondent nos. 1 to 3 & 5.

CORAM : K. K. TATED, J.

DATED : 19/10/2015.

PC.:

. Leave to amend. Amendment to be carried out during the course of the day.

2 This application is for restoration of Civil Application no. 418 of 2014 and Second Appeal (ST) no. 4989 of 2009, which were dismissed for default by order dated 31.10.2014.

3 Considering the submissions made by the learned Senior counsel for the applicant and averments made in paragraphs 4 and 5 of Civil Application, I am satisfied that applicant has made out case for allowing this Civil Application. But, at

the same time, applicant to pay cost of Rs.2500/- to the respondents or their advocate on or before 30.10.2015, failing which the Civil Application shall stand dismissed without further reference to the court.

4 Hence, following order.

a) Order dated 31.10.2014 passed by this Court is recalled.

b) Civil Application no. 418 of 2014 and Second Appeal (ST) no. 4989 of 2009 is restored on file for hearing on its own merits.

c) Applicant to pay cost of Rs.2500/- to the respondents or their Advocates on or before 30.10.2015 failing which the Civil Application shall stand dismissed without further reference to the court.

d) Civil application stands disposed off accordingly.

(K.K.TATED, J.)