

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

**CIVIL APPLICATION NO. 735 OF 2015
IN
FIRST APPEAL NO. 363 OF 2013**

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. Ashish Mehta with Nikhil Mallelwa for the applicant.

**CORAM : K. K. TATED, J.
DATED : 11/08/2015.**

P.C.:

. Heard learned Counsel for the applicant.

2 This Application is for restoration of First Appeal no. 363 of 2013 against respondent nos. 8 and 9, which was dismissed in view of conditional order dated 25.07.2014 passed by the learned Registrar (Judicial-II) for not taking appropriate steps against unserved respondents.

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 25.07.2014 passed by the learned Registrar (Judicial-II) is set aside.

b) First Appeal no. 363 of 2013 is restored against respondent nos. 8 & 9.

c) Applicant to take appropriate steps for service on respondent nos. 8 & 9 within four weeks from today, 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.)