

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

CIVIL APPLICATION NO. 4144 OF 2012
IN
FIRST APPEAL NO.1789 OF 2010

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. Sachin Kankal Adv. i/by Mr. K.N. Kandekar Adv.
for the Applicants
None for the Respondent

CORAM : K. K. TATED, J.
DATE : JANUARY 30, 2015

P.C.:

1. Heard learned counsel for the applicants. Though the respondents are duly served, no one appeared on behalf of them when the matter is called out.

2. Office note shows that this Civil Application stood rejected against Respondent Nos.2 and 7. Office is directed to make a note in First Appeal showing that First Appeal stood rejected against respondent Nos.2 and 7.

3. This application is preferred by applicants for restoration of First Appeal No.1789 of 2010 which was dismissed in view of conditional Order dated 9th December, 2010 passed by this Court for non filing of private paper book. The learned Advocate for the applicant submits that the private paper book is ready. He undertakes to file the same within four weeks from today. The statement is accepted.

4. Considering the statement made by learned counsel for the applicant and averments made in the Civil Application, I am satisfied that the applicant has made out a case for allowing the Civil Application. Hence following Order.

A) First Appeal No.1789 of 2010 is restored to file.

B) Four weeks time is granted from today to comply with the Order dated 9th December, 2010 passed by this Court, failing which Civil Application shall stand dismissed without referring back to the Court.

C) If paper book is filed within stipulated time as stated herein above, the applicant/Insurance

Company is directed to serve the respondent by way of private notice in First Appeal either by RPAD and/or by hand delivery stating that First Appeal is restored, and file an affidavit of service to that effect on or before next date.

D) Civil Application is disposed of accordingly.

JUDGE