

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

**CIVIL APPLICATION NO. 857 OF 2015
IN
SECOND APPEAL NO. 564 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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Ms. Archana Pise i/b P. D. Pise for the applicant.
Mr. G. T. Kanchanpurkar for the respondent.

**CORAM : K. K. TATED, J.
DATED : 09/09/2015.**

P.C.:

. Heard learned Counsel for the parties.

2 This application is for restoration of Second Appeal no. 564 of 2013 with Civil Application no. 1314 of 2013 which was dismissed for default by order dated 15.11.2014.

3 Though the respondents are duly served, there is no affidavit-in-reply to oppose the present Civil Application.

4 Considering the submissions made by learned counsel for the applicant and averments made in civil application, I am satisfied that applicant has made out the case for allowing the civil application.

5 Hence, the following order is passed:

a) Order dated 15.11.2014 passed by this Court is recalled.

b) Second Appeal no. 564 of 2013 with Civil Application 1314 of 2013 is restored on file for hearing on its own merits.

c) Civil Application stands disposed of accordingly.

(K.K.TATED, J.)

CERTIFICATE

Certified to be true and correct copy of the original signed order.