

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4199 OF 2015
IN
REJECTED CASE NO.466 OF 2015

National Insurance Co. Ltd.

... Applicant

Vs.

Smt.Rekha Bapu Malusare & Ors.

... Respondents

Mr.Sanjay Krishnan i/b Leges Consultus for the Applicant

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **11th DECEMBER, 2015**

P.C.:

1. Not on Board. Upon mentioning, taken on Board.
2. This Civil Application is for restoration of the First Appeal. The learned Counsel for the applicant submits that there is a delay of 200 days in filing the application for restoration of the appeal. He submits that certified copy of the judgment and order was required to be submitted alongwith the appeal but as it was misplaced, the order of this Court datd 24.3.2015 and the objection therein could not be removed. Hence, this appeal was dismissed. He submits that now he has obtained the certified copy of the judgment and decree. He submits that he will comply with the order as soon as the appeal is restored.

3. In view of these submissions of the learned Counsel, the order dated 24.3.2015 is hereby recalled and the delay is condoned. The application is allowed and the appeal is restored to its original file. Compliance is to be made with within two weeks from today. However, if the compliance is not made within two weeks, the appeal will stand dismissed without further reference to the Court.

4. If the compliance is made as stipulated above, list the matter for admission after eight weeks.

(MRIDULA BHATKAR, J.)