

vat

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION No. 2803 OF 2011
IN
APPEAL No. 26 OF 2011
IN
NOTICE OF MOTION No.77 OF 2009
IN
TESTAMENTARY SUIT No. 74 OF 2007
IN
TESTAMENTARY PETITION No. 871 OF 2007

Arvind Sitaram Iyer

...Appellant
(Org. Plaintiff)

Vs.

U. Raghvendra Acharya & Ors.

...Respondents
(Respondent Nos.1 and 2
Org. Defendants Nos.1 and
2 and Respondent No.3
Org. Respondent in N/M.)

Ms. Deepti B. Mistry i/b. Vaibhav Mehta & Associates for Appellant
Mr.R.M. Nakhwa i/b. Mr. Vasant Dhawan for Respondents

CORAM : V. M. KANADE &
B.P COLABAWALLA, J.J.

DATE : JUNE 8, 2015

P.C. :

1. Heard the learned counsel appearing on behalf of the Appellant and the learned counsel appearing on behalf of the Respondents.

2. For the reasons stated in the affidavit in support of the Notice of Motion, the delay of 39 days caused in taking out the Notice of

(NMA 2803 of 2011)

Motion for restoration of the appeal is condoned, despite vehement opposition by the learned counsel appearing on behalf of the Respondents. Notice of Motion is allowed and Appeal No. 26 of 2011 is restored to the file.

3. Appeal to be placed on the Admission Board on 6th July, 2015.

[B.P COLABAWALLA, J.]

[V. M. KANADE, J.]