

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 4079 OF 2009
IN
REVIEW PETITION (L) NO. 76 OF 2009
IN
SUIT NO. 1199 OF 1981

The Federal Bank Limited ... Petitioners

Versus

M/s. H & P Textiles & Ors. ... Respondents

Mr. O.A. Das for the Petitioners.
None for the Respondents.

CORAM : S.J. KATHAWALLA, J.
DATED : 6TH JULY, 2015

P.C.:

1. The learned Advocate appearing for the Petitioners undertakes to file Vakalatnama on or before 8th July, 2015. The undertaking is accepted.

2. The above Notice of Motion is taken out on 13th November, 2009 by the Petitioners for the following reliefs :

“(a) the delay of nine years i.e. 3165 days from the order dated 14th March, 2000 passed by the High Court and delay of 148 days from the order dated 8th April, 2009 passed by

the Debts Recovery Tribunal-II, Mumbai in filing the present Petition for review be condoned and the Petition be taken on file”.

3. The Master Admin, Board Department, Bombay High Court shall give an explanation to this Court on 13th July, 2015 in writing as to why the above Notice of Motion was not placed on any cause list in the last more than five years and was placed before this Court for the first time only after this Court after perusing the list of pending matters directed the matter to be so placed.

4. Perused the Notice of Motion and the Affidavit in support thereto. For the reasons set out in the Affidavit in support of the Notice of Motion, the Notice of Motion is allowed in terms of prayer clause (a) as above.

5. The Review Petition shall be served on the Respondents by hand delivery by the Advocate for the Petitioners on or before 9th July, 2015.

Place the Review Petition for hearing on 15th July, 2015.

(S.J. KATHAWALLA, J.)