

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.638 OF 2016
IN
FIRST APPEAL NO.1814 OF 2013

Dilipbhai Naginbhai Patel	... Applicant
<i>In the matter between</i>	
Dilipbhai Naginbhai Patel	... Appellant
vs.	
The State Bank of India	... Respondent

Mr. Pravin Gole i/b. Mr. S.S. Deshmukh, for the Applicant.

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 17th FEBRUARY, 2016

P.C.:

. The civil application is preferred for restoration of the First Appeal. The learned counsel for the Applicant submits that on 4th March, 2014 this matter was admitted and direction was given to file the paper book, however the paper book is not filed within the stipulated period and therefore the Appeal dismissed without referring to the Court. The learned counsel further submitted that due to oversight the compliance of the said order was not made. However, now the paper book is ready and so the Appeal be restored.

2. In view of the submission of the learned counsel for the Applicant, the civil application is allowed and accordingly disposed of.

3. The order of dismissal dated 4th March, 2014 to the extent of dismissal of First Appeal is hereby recalled. The First Appeal along with the civil application and the order passed therein is restored herewith.

4. The Appellant to file the paper book till 11th March, 2016 and if not filed then the Appeal will be dismissed without referring the matter to the Court.

5. Issue notice to the Respondents returnable on 11th March, 2016.

(MRS.MRIDULA BHATKAR, J.)