

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL APPLICATION NO.1625 OF 2016

IN

FIRST APPEAL NO.182 OF 2014

Shri. Ashok M. Soni and another

.. Applicants

Versus

Shri. Ashok Basappa Udyavar

.. Respondent

Mr. Makarand Bakore for the Applicants.

Miss. Kirti H. Purohit for the Respondent.

CORAM : R.M. SAVANT, J.

DATE : 21st JUNE 2016

PC.

1. The above Civil Application has been filed for restoration of the above First Appeal which has stood dismissed for non-prosecution in view of the conditional order dated 07.03.2014 in the matter of non-filing of the private paper book as directed by the said order. The Appeal was admitted, when it stood dismissed for non-prosecution on account of non-filing of the private paper book. The Learned Counsel appearing on behalf of the Respondent seeks to question the reasons as to why the order dated 07.03.2014 could not be complied with. In my view, since the above First Appeal had stood admitted and since has been dismissed on account of the

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non-filing of the private paper book, indulgence is required to be shown to the Applicants. The First Appeal is accordingly restored to file. The Civil Application to stand disposed of.

[R.M. SAVANT, J]