

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**CIVIL APPLICATION NO. 473 OF 2016
WITH
CIVIL APPLICATION NO. 472 OF 2016
IN
CIVIL APPLICATION NO. 3401 OF 2011 IN F.A. NO. 66 OF 2011
A/W.
CIVIL APPLICATION NO. 470 OF 2016
WITH
CIVIL APPLICATION NO. 471 OF 2016
IN
CIVIL APPLICATION NO. 3402 OF 2011 F.A. NO. 66 OF 2011
A/W.
CIVIL APPLICATION NO. 468 OF 2016
WITH
CIVIL APPLICATION NO. 469 OF 2016
IN
CIVIL APPLICATION (ST.) NO. 13327 OF 2014 IN F.A. NO. 66 OF 2011**

Smt. Asha Yogesh Kanakia & Ors. ... Applicants

Vs.

Good Luck Industries & Trading & Ors. ... Respondents

Mr. Sumit S. Kothari, Advocate for the applicant.

Mr. N.R. Modi i/b. Rustomji & Ginwala, Advocate for respondent nos. 1, 4 & 5.

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 11th February, 2016.

P.C.:

Civil Application Nos. 472/2016, 471/2016 & 469/2016

The learned counsel for the applicant submitted that he has served all the respondents and affidavit of service has been filed to that effect.

2. It is submitted that earlier the applicant was appearing in person and now she has engaged the present counsel. The learned counsel

submitted that the Appeal is admitted on 21st January, 2011, however, by a conditional order, the Appeal is dismissed for non-filing of paper book within the stipulated time. He submitted that by an order dated 23rd October, 2012, the First Appeal was restored. He further submitted that by an order dated 7th February, 2012 of Registrar (Judicial-II), his Applications for bringing legal representatives of respondent no. 3 was dismissed due to some mistake of the counsel's clerk and hence these Applications are moved for setting aside the order of dismissal dated 7th February, 2012.

3. The learned counsel for respondent nos. 1, 4 and 5 opposed the Application.

4. In view of the submissions made by the learned counsel for the appellant and as the Appeal is already admitted in 2011, the said order dated 7th February, 2012 passed by Registrar (Judicial-II) is hereby set aside. Civil Applications for bringing legal representatives of respondent no. 3 are restored to its file.

5. Civil Applications are disposed of.

Civil Application Nos. 473/2016, 470/2016 and 468/2016

Issue notice to the respondents, returnable on 10th March, 2016.

(MRIDULA BHATKAR, J.)