

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2963 OF 2014**

**IN
FIRST APPEAL NO.872 OF 2011**

Kanhaiyalal Musai Vishwakarma .. Applicant/Appellant

Versus

Panchalal Musai Vishwakarma .. Respondents

Mr. Omprakash Pandey for the Applicant/Appellant.

Mr. D. P. Guchiya for the Respondent.

CORAM : R.M. SAVANT, J.

DATE : 28th JULY 2016

PC.

1 The above Civil Application has been filed for restoration of the First Appeal which has stood dismissed for non-prosecution on account of the non-compliance in respect of the condition to file a private paper book. The Applicant also seeks condonation of delay in filing the above Civil Application. The First Appeal had stood admitted when it came to be dismissed for non-prosecution on account of the non filing of the private paper book. The reasons for the delay are mentioned in paragraphs 5 and 6 of the Civil Application. Having regard to the said reasons, the Civil Application is allowed. Resultantly, the First Appeal is restored to file. The Applicant/Appellant to file private paper book within two weeks from date. The Civil Application is accordingly disposed of.

[R.M. SAVANT, J]