

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

CIVIL APPLICATION NO.3019 OF 2016

IN

FIRST APPEAL STAMP NO.29983 OF 2014

Kisan Mouldings Limited

.. Applicant/Appellant

Versus

M/s. Pee Cee Traders and others

.. Respondents

**Mr. Jaishree Surati i/by S. Ashwinikumar & Co., for the Applicant/
Appellant.**

CORAM : R.M. SAVANT, J.

DATE : 12th JULY 2016

PC.

1 The above Civil Application has been filed for restoration of Civil Application No.1654 of 2015 and Civil Application Stamp No.9283 of 2016. In so far as the Civil Application No.1654 of 2015 is concerned, the same is filed for condonation of delay in filing the First Appeal. In so far as the Civil Application Stamp No.9283 of 2016 is concerned, the same has been filed for effecting substituted service on the Respondents. On account of the conditional order dated 12.08.2015 passed by the Learned Registrar, Judicial-II of this Court that Civil Application No.1654 of 2015 came to be dismissed for non-prosecution on account of the service being not effected on the Respondents. As a consequence thereof, Civil Application Stamp

No.9283 of 2016 came to be dismissed. In my view, it would be just and proper to condone the delay in filing the above Civil Application as also restore the Civil Application No.1654 of 2015 and Civil Application Stamp No.9283 of 2016. The said Civil Applications are accordingly restored to file. In the facts and circumstances of the case, the Applicant to deposit costs of Rs.3000/- with the Maharashtra Legal Aid Fund within two weeks from date. The Civil Application is accordingly disposed of.

2 List the Civil Application Stamp No.9283 of 2016 after two weeks.

[R.M. SAVANT, J]