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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1200 OF 2016
IN
SECOND APPEAL NO.270 OF 2013

Mamata G. Talashilkar	...Applicant
V/s.	
Anandi K. Surve & Anr.	...Respondents

Mr.Sanskar Marathe for the Applicant.

None for the Respondents.

CORAM : R.D. DHANUKA, J.
DATE : 14TH DECEMBER, 2016.

P.C. :-

1. Learned counsel appearing for the applicant states that the respondents are already served. None appeared for the respondents, though served. No affidavit in reply has been filed.
2. By this civil application, the applicant seeks condonation of delay of one year and 190 days and seeks recall of the order dated 28th November, 2013 and for restoration of the second appeal. Learned counsel for the applicant states that the private paper book could not be filed due to unavoidable circumstances. He submits that now the private paper book is ready. The statement is accepted.
3. I have heard the learned counsel for the applicant and

have perused the averments made in the civil application. The applicant has made out a case for condonation of delay in filing civil application and for restoration of the second appeal.

4. I therefore, pass the following order :-

a). The civil application is made absolute in terms of prayer clauses (a), (b) and (c) on the condition that the applicant files private paper books within two weeks from today. If the private paper book is filed within two weeks from today, the office is directed to accept the said private paper book. No order as to costs.

b). The second appeal is restored to file. The impugned order passed by this Court on 11th June, 2014 is also restored to file.

(R.D. DHANUKA, J.)