

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

CIVIL APPLICATION NO. 3326 OF 2016

IN

REJECTED CASE NO. 553 OF 2015

IN

CIVIL APPLICATION (ST.) NO. 26626 OF 2014

IN

FIRST APPEAL (ST.) NO. 26625 OF 2014

Mrs. Pratibha Ratnakar Phatale & Ors.

**...Applicants/
Appellants**

Versus

Mr. Niraj Thakur & Anr.

...Respondents

Mr. V.B. Tapkir, for the Appellant.

CORAM : R.M. SAVANT, J.

DATE : 5th August 2016

P.C. :

1. The above Civil Application has been filed for restoration of Civil Application St. No. 26626 of 2014 and First Appeal (St.) No. 26625 of 2014.

2. The Applicants are the claimants who are seeking

enhancement. The said proceeding has been dismissed for non prosecution on account of the order dated 16th January 2016 passed by the learned Registrar Judicial of this Court. The Applicant also prays for condonation of delay in filing the above Civil Application. The reasons therefore are mentioned in paragraph 5 of the above Civil Application. Hence, accepting the said reasons, the above Civil Application is allowed. resultantly, the above First Appeal as well as the Civil Application for condonation of delay stand restored to file.

3. The Civil Application is accordingly disposed of.

[R.M. SAVANT, J.]