FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.190 OF 2016
IN
CIVIL APPLICATION NO.247 OF 2015
IN
CIVIL REVISION APPLICATION NO.113 OF 2014

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders

Ms.Manjiri Parasnis for the applicant

Mr.D.N.Mishra with Ms.Richa Mishra for the respondent no.10 in Civil Application No.247 of 2015

CORAM : K. K. TATED, J.
DATE : AUGUST 9, 2016

P.C.:

1 Heard the learned counsel for the parties.

2 This application is for restoration of Civil Application No.247 of 2015 against respondent nos.2 and 4 which was dismissed in view of conditional order dated 14.12.2015 passed by learned Registrar (Judicial-II).

3 The learned counsel for the applicant submits that learned Registrar (Judicial-II) by order dated 14.12.2015 granted four weeks time to take steps regarding service on respondent nos.2 and 4 in Civil Application No.247 of 2015, failing which

Civil Application to stand dismissed. She submits that respondent nos.2 and 4 were duly served before passing the impugned order. She submits that there was delay on her part to file affidavit of service to that effect.

4 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

A) Civil Application is allowed in terms of prayer clause (a), (b) and (c) which reads thus:

> "a. This Hon'ble Court may be pleased to condone the delay of 6 months in filing the present Civil Application in the interest of justice, equity and fair play;
>
> b. This Hon'ble Court may be pleased to recall the Order dated 14.12.2015 passed by the Learned Registrar Judicial-II in Civil Application No.247 of 2015 in Civil Revision Application No.113 of 2014 and set aside the same, so far as Respondent Nos.2 and 4 are concerned and restore the matters, so far as Respondent Nos.2 and 4 are concerned to its file;

c. Filing of the Affidavit be dispensed with."

B) Civil application stands disposed off accordingly.

JUDGE