

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

**CIVIL APPLICATION NO.574 OF 2015
IN
CIVIL REVISION APPLICATION NO.13 OF 2008**

Mrs. Manik S Vadhavkar & Anr : Applicants.

In the matter between

Mrs. Manik S Vadhavkar and anr. : Applicants.

Versus

Prakash Sadanand Wagle : Respondent.

Ms. Bhavika S Kuperkar i/by Mr. A V Chatuphale for the Applicants.

Mrs. Vasanti S Dighe for the Respondent.

**CORAM : R. M. SAVANT, J.
DATE : 08th February 2016**

P.C.

1 The above Civil Application has been filed for restoration of the above Civil Revision Application which has stood dismissed for non-prosecution on account of the non-appearance of the Advocate of the Applicants on 18/06/2015. The reasons why the Advocate for the Applicants could not appear on the said day are mentioned in paragraphs 2 and 3 of the above Civil Application.

2 Hence accepting the said reasons, the above Civil Application is required to be allowed. However, the office has in the office note wrongly stated that there is a delay of 44 days in filing the above Civil Application. It is

required to be noted that the above Civil Application was dismissed for non-prosecution on 18/06/2015 and the above Civil Application has been filed on 13/07/2015. Hence there is no delay in filing the above Civil Application. The above Civil Application is accordingly allowed. Resultantly the above Civil Revision Application is restored to file. On restoration the above Civil Revision Application to be shown at its appropriate place on the final hearing board as was appearing prior to it being dismissed for non-prosecution. The above Civil Application is accordingly disposed of.

[R.M.SAVANT, J]