

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3430 OF 2015

in

FIRST APPEAL NO.1155 OF 2013

Vishnu Damodar Salonkar ... Applicant

vs

S.Purandara Lakshmi Janardan Joisa ... Respondent

Mr.D.U.Mirajkar for Applicant

CORAM: G.S.KULKARNI, J

DATE : 30 NOVEMBER 2016

P.C.

1. Not on Board. Taken on Board on a praecipe as moved on behalf of the applicant.
2. By this application the applicant/appellant seeks restoration of the First Appeal which was dismissed for non-payment of bhatta in pursuance of order dated 10 February 2015. There is a delay of 177 days in taking out this application. Appeal was already admitted by order dated 4 September 2013.
3. Considering the averments as made in the Civil application, in the interest of justice, application is allowed in terms of prayer clauses (a) (b) and (c). However, subject to payment of costs of Rs.3000/- to be deposited with the Maharashtra Legal Services Authority within a period of two weeks from today. If the cost is not deposited as directed, the

appeal shall stand dismissed without further reference to the Court.

{G.S.KULKARNI, J}