

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1381 OF 2015
IN
APPEAL FROM ORDER NO.939 OF 2015

Yogesh Kisanlal Purohit & Ors.

... Applicants

Vs.

Yesubai Anant Bhoir & Ors.

... Respondents

Mr.Amol P. Mhatre for the Applicants
Mr.Rajesh Mudholkar for Respondents

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 28th JANUARY, 2016

P.C.:

1. Not on Board. Upon mentioning, taken on Board.
2. This application is moved for restoration of Appeal from order. By order dated 14.7.2015, the appellant was directed to pay Rs.5,000/- to respondent Nos.30, 31, 33 jointly or their advocate within two weeks from the date of the order. The learned Counsel for the applicant/Corporation submits that he paid the amount of Rs.5,000/- vide cheque to the Counsel Mr.Rajesh Mudholkar. He produces his letter dated 27.7.2015 with acknowledgement of Mr.Mudholkar dated 28.7.2015. The learned Counsel submits that he could not produce this letter and the acknowledgement before the Registry well in time and, therefore, his matter was shown as dismissed for non-compliance. He prays for restoration.

3. It appears that there is a one day delay and hence, the matter was dismissed. However, he has paid the costs of Rs.5,000/- and it is received by the learned Counsel for the respondents, who is present in the Court today. In view of this, the order of dismissal is recalled and the appeal is restored alongwith all the applications and the interim orders passed therein.

4. List the Appeal from Order on 16.2.2016.

5. Civil Application stands disposed of accordingly.

(MRIDULA BHATKAR, J.)