

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

**CIVIL APPLICATION NO. 4659 OF 2013  
IN  
FIRST APPEAL (ST) NO. 21481 OF 2012**

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|-----------------------------------------------------------------------------------------------------------|---------------------------|
| Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders | Court's or Judge's orders |
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Mr. Santosh Saroj i/b A. M. Saraogi for the applicant.

**CORAM : K. K. TATED, J.  
DATED : 18/01/2016**

**P.C.:**

. Heard learned Counsel for the applicant.

2 This application is preferred by plaintiff for restoration of Civil Application No. 2003 of 2012 against Respondent Nos.2 and 4, which was dismissed in view of conditional order dated 30.01.2013 passed by learned Registrar (Judicial-II).

3 The learned counsel for the Applicant submits that impugned order passed by the learned Registrar (Judicial-II) dated 30.01.2013 be set aside and allowed the applicant to serve the Respondent nos. 2 and 4.

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 Civil

Application with payment of cost of Rs.5000/-. Cost to be deposited in the office of the Maharashtra State Legal Services Authority, High Court, Bombay, within 3 weeks from today.

5 Hence, following order is passed:

a) Delay in preferring the Civil Application is condoned.

b) Order dated 30.01.2013 passed by the learned Registrar (Judicial-II) is set aside.

c) Civil Application No. 2003 of 2012 is restored on file against Respondent Nos. 2 and 4.

d) Applicant to take appropriate steps for service on Respondent Nos. 2 and 4 within four weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

e) Applicant to pay cost of Rs.5000/-.

f) Cost to be deposited in the office of the Maharashtra State Legal Services Authority, High Court, Bombay, within 3 weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

g) Civil application stands disposed off accordingly.

**(K.K.TATED, J.)**