

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

CIVIL APPLICATION NO.110 OF 2016
IN
WRIT PETITION NO.10867 OF 2014

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

Mr.Durga Prasad Sabnis i/b M/s.Lex Firmus for the applicant

CORAM : K. K. TATED, J.
DATE : APRIL 20, 2016

P.C.:

- 1 Heard the learned counsel for the applicant.
- 2 This application is for restoration of Writ Petition No.10867 of 2014 which stand dismissed in view of conditional order dated 8.6.2014 passed by learned Registrar (Judicial-I) for non-removal of office objections i.e. to take appropriate steps against respondent nos.1 to 4.
- 3 The learned counsel for the applicant submits that applicant preferred Civil Application for substitute service and same was affirmed before notary on 29.6.2015. He submits that there was delay on their part to take appropriate steps

immediately within stipulated time. Hence, matter was dismissed for non-removal of office objections.

4 The learned counsel for the applicant submits that in the interest of Justice, this Hon'ble Court be pleased to restore the Writ Petition on file for hearing on its own merits. He further submits that applicant undertakes to take appropriate steps for service on respondent nos.1 to 4 within four weeks from today.

5 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) Order dated 8.6.2015 passed by learned Registrar (Judicial-I) is set aside.
- b) Writ Petition No.10867 of 2014 is restored on file for hearing on its own merits.
- c) Applicant to take appropriate steps for service on respondent nos.1 to 4 within four weeks from today failing which, Civil Application shall stand dismissed without referring back to the court.
- d) Applicant to pay cost of Rs.2500/-. Cost to be deposited in the office of the Maharashtra State

Legal Services Authority, High Court, Bombay, within four weeks from today, failing which the matter shall stand dismissed without further reference to the court.

e) Civil application stands disposed off accordingly.

JUDGE