

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

NOTICE OF MOTION NO.490/2015
IN
WRIT PETITION NO.1937/1995

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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Ms. Pinky Bhansali i/b. Mr. Akshay Vani for the applicant
Mr. Vaibhav m. Parashurami for the respondent
Nos.1 and 2.

CORAM : K. K. TATED, J.
DATE : DECEMBER 14, 2016

P.C.:

1. Heard. Though the respondent No.3 is duly served, none appeared for them. The learned counsel for the applicant undertakes to file an Affidavit of service within a week. Undertaking is accepted.

2. This Notice of Motion is for restoration of the Writ Petition which was dismissed for default by order dated 23.11.2015.

3. Considering the submissions made by the learned counsel for the Applicant and the averments made in the affidavit in support of the

Notice of Motion, I am satisfied that the Applicant has made out a case for allowing the Notice of Motion.

4. Hence, the following order:

a) Order dated 23.11.2015 by which the Writ Petition stood dismissed for default, is recalled.

b) Writ Petition No.1937/1995 is restored to file for hearing on merits.

c) The applicant is directed to intimate today's order to respondent No.3, in writing and file an Affidavit of service to that effect.

d) Notice of Motion stands disposed of accordingly.

JUDGE