

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 104 OF 2017
IN
CIVIL REVISION APPLICATION NO. 148 OF 2011**

Modern India Limited	...Applicant
<i>Versus</i>	
Bharat Petroleum Corporation & Anr.	...Respondents

Ms Nikita Vardhan, i/b M/s Kanga & Co., for the Applicant.

**CORAM: G.S. PATEL, J
DATED: 20th November 2017**

PC:-

1. Heard.

2. The Civil Application seeks restoration of the Civil Revision Application No. 148 of 2011. There is considerable delay of five years and 202 days and the Registry's dismissal order of 15th June 2011 is also sought to be set aside.

3. Notice was ordered to be issued by an order dated 7th June 2017. The Court notice has been served and there is an office report to that effect.

4. None for the respondent.

5. The explanation in paragraphs 4, 5 and 6 of the Civil Application is that the delay was unintentional and entirely due to inadvertence and oversight. This is candidly admitted in so many words in paragraph 5.

6. Having regard to these facts, I will as an exceptional case and as a last chance allow the Civil Application. It is made absolute in terms of prayer clauses (a), (b) and (c).

7. The Applicant is put to notice that no further inadvertence or oversight will be excused hereafter.

8. List the Civil Revision Application for hearing on 18th December 2017

(G. S. PATEL, J)