

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 497 OF 2016
IN
FIRST APPEAL No. 1397 OF 2012

The Municipal Corporation ... Applicant
Vs.
Shantilal Chhajed ... Respondent

Mrs. M.R. Bhoir, Advocate for the applicant.
Ms. Devki R. Sahu i/b. Mr. A.M. Saraogi, Advocate for the respondent.

CORAM: MRS.MRIDULA BHATKAR, J.
DATE: 9th August, 2017.

P.C.:

This Application is filed for setting aside the order dated 11th February, 2013 passed by this Court of dismissal of Appeal for want of compliance of paying the charges of the paper book.

2. The learned counsel for the Corporation submitted that inadvertently that order went unnoticed, however, the Appeal was admitted and the Corporation is ready to comply with the order dated 11th February, 2013. She further submitted that paper book of the appellant is ready.

3. The learned counsel for the respondent is present and submitted that she has misplaced the brief and hence seeks adjournment.

4. No adjournment can be granted.

5. Perused the order dated 11th February, 2013. In view of the submissions made by the learned counsel for the Corporation, Civil Application is allowed in terms of prayer clause (a). The order of dismissal of First Appeal is set aside. First Appeal is restored to its original file. The Corporation is directed to file the paper book within two weeks from today.

6. Civil Application is disposed of.

(MRIDULA BHATKAR, J.)