

Atul

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 270 OF 2016
IN
CIVIL REVISION APPLICATION NO. 838 OF 2014

Central Bank of India	...Applicant
<i>Versus</i>	
Bhagwatidevi Podar & Anr	...Respondents

Mr Alok D Mishra, *for the Applicant.*
Ms Aarita Nalawade, *i/b Kamalesh Tiwari, for the Respondents Nos.*
1 & 2.

CORAM: G.S. PATEL, J
DATED: 27th November 2017

PC:-

1. Heard. Respondents are served.

2. The application seeks that the delay of 255 days in filing the Civil Application be condoned and the Civil Revision Application be restored to file with an order of dismissal dated 17th June 2015 being set aside. The application sets out sufficient grounds especially in paragraphs 4 to 10.

3. The civil application is made absolute. Delay is condoned. Civil Revision Application No. 838 of 2014 is restored to file.

4. As a final opportunity the order dated 17th June 2015 is set aside. However, this cannot be without the petitioner being put to some terms. There will, therefore, be an order of costs in the amount of Rs. 25,500/- since there is a delay of 255 days. The amount is to be paid by the Central Bank of India to the Respondents' advocate within three weeks from today.

5. It is also made clear that no further indulgence will be shown and that if the Civil Revision Application is dismissed for default, it will not be restored thereafter.

6. List the Civil Revision Application for admission on 9th January 2018.

7. The civil application is disposed of in these terms.

(G. S. PATEL, J)