

Mr. Pankaj Purway, for Applicants.
None for Respondents.

CORAM: S.J. KATHAWALLA, J.

DATE: 20th JUNE, 2017

P.C.:

1. The above Civil Application is taken out by the Applicants seeking restoration of the Misc. Civil Application No.208 of 2014, which was dismissed in view of the order dated 14th July, 2015 passed by the Registrar, Judicial II. The order dated 14th July, 2015 is reproduced hereunder for ready reference :

“Four weeks time granted to take steps against unserved Respondents, failing which the Misc. Civil Application shall dismissed.”

2. The learned Advocate for the Applicants states that when the said order dated 14th July, 2015 was passed, the learned Registrar, Judicial II, was not informed that an Application seeking orders for substituted service was in the process of being filed by the Advocate for the Applicants. Civil Application No.173 of

2015 seeking an order for substituted service was filed on the same day i.e. 14th July, 2015. In view thereof, the following order is passed :

- (i) The delay if any in filing the present Civil Application is condoned.
- (ii) The order dated 14th July, 2015 passed by the Registrar, Judicial II, is set aside and the Misc. Civil Application No.208 of 2014 is restored to file.
- (iii) The above Civil Application is accordingly disposed off.

(S.J.KATHAWALLA, J.)