

vai

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.13 OF 2017
IN
FIRST APPEAL NO.RC/403 OF 2006

Union of India, Office Incharge,
Naval Transport Pool

...Applicant

IN THE MATTER BETWEEN :

Union of India

...Appellant

V/s.

Pusala R. Nayak

...Respondent

Mr.Pranil K. Sonawane for the Applicant.

None for the Respondent.

CORAM : MRS.MRIDULA BHATKAR, J.
DATE : 12TH SEPTEMBER, 2017.

P.C. :-

1. Not on board. Upon mentioning, taken on board.
2. The application is moved for restoration of the first appeal which was dismissed vide an order dated 11th January, 2008 passed by this Court. Learned counsel for the applicant submits that the applicant / appellant is Union of India. It is the claim filed against the recovery of money.
3. He submits that the order was not complied with and the

appeal was dismissed, as the advocate who was attending the matter expired.

4. The reasons given are not at all satisfactory. However, in fairness the above first appeal is restored and set aside the order of dismissal dated 11th January, 2008. This matter is pending admission since 2005.

5. The civil application is hereby disposed of. Place the First Appeal (Stamp) No.25419 of 2005 for admission on 14th September, 2017.

(MRS.MRIDULA BHATKAR, J.)