

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3023 OF 2015
IN
CIVIL APPLICATION NO.470 OF 2011
IN
R.C. NO.523 OF 2014

Tamimbhai Taherbai Mahabaleshwarwala & Ors. ... Applicants

Vs.

The Maharashtra Housing & Area
Development Authority & Ors. ... Respondents

Ms.Saloni Ghule h/f H.V. Kode for the Applicants

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 12th OCTOBER, 2017

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. This application is moved for setting aside the dismissal orders dated 1.3.2011 and 3.3.2015. It appears from the record that twice the appeal was dismissed for want of compliance of the order of this Court. The learned Counsel for the applicants submits that one chance be given to the applicants to comply with the order.

3. In view of the submission, the order of dismissal dated 1.3.2011 and 23.4.2015 are set aside and the appeal is restored to its original file, however, subject to payment of costs of Rs.1,000/- to Kirtikar Law Library, within a period of 3 weeks. Office objections, if any, shall also be removed within the same period. It is made clear that if the costs are not paid within the stipulated period and office objections, if any, are not removed, the appeal to stand dismissed without any reference to the Court.

4. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)