

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1934 OF 2017
IN
FIRST APPEAL NO. 1306 OF 2010

The Oriental Insurance Co Ltd	...Applicant
<i>Versus</i>	
Chandrakant Bhimaji Linge	...Respondent

Mrs Anita A Agarwal, *for the Appellant.*
Mr Ravindra Pachundkar, *for Respondent No.1 & for the Applicant*
in CAF No.1346/2017.
Ms Bhakti Bhosale, *for the Respondent.*

CORAM: G.S. PATEL, J
DATED: 3rd August 2017

PC:-

1. Mrs Agarwal makes an application for restoration saying that the Appeal was dismissed to inadvertence for non-compliance with the conditional order of 5th October 2010. The non-compliance was the non-filing of a private paper-book within a period of one year. That direction has now been complied with. The paper-book is ready but could not be tendered because in the meantime the Appeal has come to be dismissed.

2. The Appeal is restored to file subject to the Appeal paper-book being tendered by 11th August 2017. It is made clear that if it is not tendered by that date, the Appeal will stand dismissed without further reference to the Court and will not be restored thereafter under any circumstances. I say this because I am not today putting the Appellant to terms or making an order of costs.

(G. S. PATEL, J.)