

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.597 OF 2016
IN
CIVIL REVISION APPLICATION NO.241 OF 2015**

**Moiz Tayabali Nalwalla and ors. : Applicants
versus
N. T. Dongre and ors. : Respondents.**

**Mr. Nilesh Soni i/by Mr. D D Singh for the Applicants.
Mr. V K Nair for the Respondent No.1.**

**CORAM : R. M. SAVANT, J.
DATE : 19th APRIL 2017**

P.C.

1 The above Civil Application has been filed for restoration of the above Civil Revision Application which has stood dismissed for default on the ground that the Applicants are not ready to argue the matter on merits by the order dated 21/07/2016. The reasons therefor are mentioned in the above Civil Application.

2 The learned counsel appearing on behalf of the Respondent No.1 Shri Nair opposes the above Civil Application on the ground that in the past also the proceedings have been dismissed for default on account the non-appearance of the advocate for the Applicant.

3 Since the above Civil Revision Application has been dismissed for

default, it would be just and proper to show one final indulgence to the Applicants. The above Civil Application is accordingly allowed. Resultantly the above Civil Revision Application is restored to file. List the above Civil Revision Application for admission on 07/06/2017. The Applicant to note that no adjournment would be granted on the said day. The above Civil Application is accordingly disposed of.

[R.M.SAVANT, J]