

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2223 OF 2017
IN
FIRST APPEAL NO.448 OF 2013

with
CIVIL APPLICATION NO.2221 OF 2017
IN
FIRST APPEAL NO.448 OF 2013

Shekhar N. Shetty & anr. ... Applicants

Vs.

Municipal Corporation of Greater Mumbai & anr. ... Respondents

Mr.Chandra Naik for the Applicants

Mrs.Mamta Bhoir for Respondent No.1

Mr.B.N. Shukla i/b M/s.D.J. Kamdin & Co. for Resp. no.2

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: AUGUST 8, 2017

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. By civil application No.2223 of 2017, the applicant seeks restoration of Civil Application Nos.373 of 2016, 374 of 2016 and 1804 of 2013, which were dismissed for non-compliance of the order dated 28.7.2017 passed by the learned Registrar (Judicial II). By Civil Application

No.2221 of 2017, the applicant seeks restoration of First Appeal, which was dismissed *vide* order dated 8.6.2017 by the learned Registrar (Judicial II).

3. Learned Counsel for the respondents opposed the applications and submitted that false statements are made in the applications.

4. Perused the applications, the impugned order dated 28.7.2017 as also 8.6.2017 passed by the learned Registrar (Judicial II). Today, the learned Counsel for the applicants is ready to pay the printing charges and supply the copies to comply with the order dated 8.6.2017. Hence, both the Civil Applications are allowed in terms of prayer clause (a). The Civil Application Nos.373 of 2016, 374 of 2016 and 1804 of 2013 are restored to file on condition that the applicants deposit the printing charges and also supply copies of the First Appeal and other documents on or before 23.8.2017. If this order is not complied with, these applications will be dismissed finally.

5. Both the Civil Applications stand disposed of.

(MRIDULA BHATKAR, J.)