

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

**CIVIL APPLICATION NO. 3166 OF 2017
IN
REJECTED CASE NO. 724 OF 2017**

The Oriental Insurance Co. Ltd. ...Applicant

Versus

Santosh Vijay Tawde & Ors. ...Respondents

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Mr.Sanjay Krishnan i/b. Leges Consultus for the Applicant.
Mr.Amol Gatne i/b. Ms. Swati U. Mehta for Respondent No.1.

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**CORAM: MRS.MRIDULA BHATKAR, J.
DATED : OCTOBER 05 , 2017**

P.C. :

1. Upon urgent mentioning, taken on Production Board.
2. This Civil Application is moved for restoration of the First Appeal.
3. Learned counsel for the applicant submits that there is a delay of 216 days in filing the Civil Application for restoration of the First Appeal. The First Appeal was dismissed by order dated 17.02.2017 passed by the Registrar (Judicial-II) for want of removal of office objections. He further submits that the applicant has not deposited the statutory amount of Rs. 25,000/- because his cheque is misplaced. He seeks time to deposit the said amount.

4. Learned counsel for the respondents opposed this application.
5. In view of the above submissions and the reasons mentioned in the application, delay of 216 days is condoned and the order dated 17.02.2017 passed by the Registrar (Judicial-II) dismissing the Appeal is set aside. Civil Application is allowed. First Appeal is restored to its original file.
6. The applicant is directed to pay the deficit Court Fess within a period of four weeks from today.

(MRIDULA BHATKAR, J.)