

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

**FIRST APPEAL NO. 92 OF 2012
WITH
CIVIL APPLICATION NO. 3234 OF 2017
IN
FIRST APPEAL NO. 92 OF 2012**

M/s. Tanwar Builders & Developers ...Applicant

Versus

The Municipal Corporation of Greater
Mumbai & Anr. ...Respondents

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Mr. Narayan S. i/b.Khatri Legal Venture for the Applicant.
Mrs.Madhuri More for the Respondents/ Municipal Corporation.

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**CORAM: MRS.MRIDULA BHATKAR, J.
DATED: OCTOBER 11, 2017**

P.C. :

1. Upon urgent mentioning, taken on Production Board.
2. Learned counsel for the applicant submits that there is a delay of 43 days in filing the present Civil Application. He further submits that the Appeal was admitted on 01.09.2014, however, it was dismissed by order dated 12.03.2015 passed by the Registrar (Judicial-II) for non payment of Bhatta charges and not furnishing copies within a period of

four weeks. He further submits that the applicant is ready to comply with the order within a period of four weeks from today.

3. In view of the above submission and as the Appeal is already admitted, delay of 43 days is condoned and the order dated 12.03.2015 passed by the Registrar (Judicial-II) is set aside. The Appeal is restored to its original file alongwith the orders. The applicant to comply with the order of the Registrar (Judicial-II) within a period of four weeks from today. If the order is not complied within stipulated period, it will be again dismissed forthwith without referring to the Court.

4. Civil Application is allowed in terms of prayer clause (a) and (b)

(MRIDULA BHATKAR, J.)