

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 57 OF 2017
IN
LETTERS PATENT APPEAL NO.153 OF 2009**

The Commissioner, Nashik Municipal Corporation	..Applicant
Vs.	
Dhanraj Jagannath Bendale	..Respondent

Mr. Akshay Kapadia i/b J Shekhar & Co. for the Applicant
Mrs. Anjali N. Helekar for the Respondent

**CORAM :R. M. SAVANT, &
SARANG V KOTWAL, JJ
DATE : 5th DECEMBER, 2017**

P.C.

1 The above Civil Application has been filed for restoration of the above Letters Patent Appeal which has stood dismissed for non prosecution on 11-1-2017 on account of the non appearance of the Learned Counsel for the Appellant on the said day. The above Letters Patent Appeal was pending hearing and final disposal when it came to be dismissed for non prosecution. Since the above Letters Patent Appeal has been dismissed for non prosecution, it would be just and proper to allow the above Civil Application and restore the above Letters Patent Appeal to file. The above Civil Application is accordingly allowed and made absolute in terms of prayer clauses (a) and (b), resultantly the above Letters Patent Appeal is restored to file. List the above

Letters Patent Appeal for final hearing to be shown at the bottom of the admission board on 8-12-2017.

2 The Civil Application is accordingly disposed of.

[SARANG V KOTWAL, J]

[R.M.SAVANT, J]