

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.1699 OF 2017
IN
LATTERS PATENT APPEAL (LODGING) NO.467 OF 2016**

Prashant Shashikant Kittur : Applicant.

In the matter between

Prashant Shashikant Kittur : Appellant.

Versus

Kairoos Minoo Bhaya and ors. : Respondents.

Ms. Jalpa Pithadia i/by S I Joshi & Co. for the Applicant/Appellant.

Mr.Ashutosh Gavnekar i/by Mr. A M Varnekar for the Respondent Nos. 1 and 2.

**CORAM : R. M. SAVANT &
SARANG V KOTWAL, JJ.**

DATE : 24th November 2017

P.C.

1 The above Notice of Motion has been filed for restoration of the above Appeal which has stood dismissed for non-prosecution on account of non-removal of office objections under Rule 986 of the Original Side Rules.

2 The learned counsel appearing for the Respondents Shri Ashutosh Gavnekar has no objection to the above Appeal being restored to file.

3 The above Notice of Motion is accordingly allowed. Resultantly, the above Appeal is restored to file. On restoration, the office objections to be removed within two weeks from date, failing which the above Appeal would

once again stand dismissed for non-prosecution without further reference to the Court. The above Notice of Motion is accordingly disposed of.

[SARANG V KOTWAL, J]

[R.M.SAVANT, J]