

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 907 OF 2016
IN
FIRST APPEAL NO. 1428 OF 2014

Shri Mohanbhai Somabhai Patel ...Applicant

Versus

Shri. Chimanbhai Soma Patel & Ors. ...Respondents

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Mr.C.M.Kothari for the Applicant.

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CORAM: MRS.MRIDULA BHATKAR, J.
DATE : JANUARY 17, 2018

P.C.:

1. This Application is moved for restoration of First Appeal, which was dismissed pursuant to the conditional order dated 20th February, 2015 passed by this Court.

2. The learned counsel for the applicant submits that the Appeal is already admitted. He further submits that the objections were not removed and hence the Appeal was dismissed. Now, the applicant is ready to file paper book within a period of three months and, therefore, he prays that the First Appeal be restored.

3. In view of this submission, the conditional order dated 20th February, 2015 is set aside and the Appeal is restored to its original file alongwith the Civil Application No. 4128 of 2014. By way of last chance, the applicant shall file paper book on or before 1st April, 2018. If the paper book is not filed within the stipulated time, the Appeal will be dismissed without referring to the Court
4. Civil Application is allowed and is accordingly disposed of.

(MRIDULA BHATKAR, J.)