

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 2418 OF 2018
IN
WRIT PETITION NO. 10558 OF 2014

Smt. Anjali Hanumant Kadam and Anr.

.. Applicant

Versus

Dipti Santosh Kadam

.. Respondent

Mr. Sanjay Salvi for the Applicant.

CORAM : K.K. TATED, J.

DATE : 28 NOVEMBER 2018.

P.C:-

1. Heard learned counsel for the applicant.
2. Learned Counsel for the applicant submits that it remains on the part of the applicant to provide the spare copies in the Registry for service within time as per earlier order dated 28.11.2017 passed by this Court (Coram : Smt. S.S. Jadhav,J.). The learned Counsel for the applicant submits that, applicant is ready and willing to comply the said order within one week from today. He submits that in the interest of justice, this Hon'ble Court be please to extend the time to comply the order dated 20.11.2017 and restore the Writ Petition No. 10558 of 2015 on file for hearing on its own merits. He submit that if civil application is not allowed then applicant will suffer irreparable loss.
3. Considering the submissions made by the learned Counsel for the applicant, avernments made in civil application and as the

applicant is ready and willing to comply the order dated 20.11.2017 within one week from today, I am satisfied that the applicant has made out the case for allowing civil application. Hence, following order :-

- a) Delay in filing civil application is condoned.
- b) Writ Petition No. 10558 of 2014 is restored to file for hearing on its own merits.
- c) Time to comply the order dated 20.11.2017 i.e. to provide the spare copies of Petition for serving on other side is extended till 07.12.2018.
- d) If spare copies are provided within time as stated herein above registry is directed to issue notice before admission in writ petition to the respondent, returnable on 11.02.2019.
- e) In addition to the usual mode of service applicant is permitted to serve the respondent in writ petition, by private notice along with entire proceeding either by RPAD and or by hand delivery and file affidavit of service to that effect on or before 02.02.2019.
- f) Writ Petition to appear on board on 11.02.2019.
- g) Civil application stands disposed of accordingly. .

(K.K. TATED, J.)