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

**CIVIL APPLICATION (ST) 26655 of 2018  
IN  
CIVIL APPLICATION NO.1187 OF 2015  
IN  
APPEAL FROM ORDER NO.970 OF 2015**

Sharmista Govindlal Mody ... Applicant  
V/s.  
The Municipal Corporation of ... Respondents

Mr. Jitendra J. Shah, for the the appellant.  
Mrs. Madhuri More, for the Respondents.

**CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.**

**DATE : 14<sup>th</sup> SEPTEMBER, 2018.**

**P.C. :**

- 1] Not on board.
- 2] Upon mentioning, taken on today's board.
- 3] Heard learned counsel for the applicant and respondent.
- 4] This application is filed for restoration of the Appeal, on the ground that it came to be dismissed for default on 06.08.2018. The order passed by this Court, clearly goes to show that the appellant was absent on 23.07.2018 and the matter was adjourned only as a last chance to 06.08.2018 and on that day, as no one was present and as a result finding that even the order of ad-interim was

not got extended from several dates, the appeal came to be dismissed for default.

5] In such situation, no case is made out for restoration of the Appeal or even for restoration of ad-interim relief granted. Therefore, this application is dismissed.

**[DR.SHALINI PHANSALKAR-JOSHI, J.]**