

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

**NOTICE OF MOTION NO.20 OF 2018
IN
APPEAL (L) NO.206 OF 2016
IN
SUIT NO.2854 OF 2010**

Chandra Prakash Shivhare ..Applicant

IN THE MATTER BETWEEN

Chandra Prakash Shivhare ..Appellant

Versus

The Indian Express Limited and another ..Respondents

**Mr. Lakshyaved R. Odhekar, Advocate for the Applicant/
Appellant.**

**Dr. Abhinav Chandrachud a/w Mr. Amol Joshi, Mr. Sufiyan
Shaikh I/by Ms. Poorvi Kamani, Advocate for the Respondents.**

**CORAM : B. R. GAVAI &
RIYAZ I. CHAGLA, JJ.
DATE : 11th DECEMBER, 2018**

P.C.

1] By way of present Motion, the Applicant has prayed for condonation of delay in filing the Notice of Motion and to set aside the orders dated 7th July 2016 and 3rd August 2016 in Appeal (L) No.206 of 2016 and for restoration of the Appeal (L) No.206 of 2016.

2] The Notice of Motion is vehemently opposed by Dr. Chandrachud, appearing on behalf of the Respondents. However, taking into consideration the grounds raised in affidavit in support of the Notice of Motion and particularly, communication gap between the Applicant and the lawyers, we are inclined to allow the Notice of Motion.

3] The Notice of Motion is made absolute in terms of prayer clause (a), subject to cost of Rs.10,000/-.

4] The Applicant is granted three weeks time to remove office objections.

[RIYAZ I. CHAGLA, J.]

[B. R. GAVAI, J.]