

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.565/2019

in

First Appeal No.207/2009

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr. Bhushan Walimbe I/b. Preeti Walimbe for the Applicant

CORAM: K.K.TATED, J.

DATED : OCTOBER 18, 2019

P.C.

1 Heard. None for the Respondent though duly served.

2 By this Civil Application the Applicant is seeking to set aside the conditional order dated 18.11.2014 passed by the learned Registrar (Judicial-II) by which the First Appeal stood dismissed against Respondent No.2.

3 The learned counsel for the Applicant undertakes to take appropriate steps within four weeks from today. The statement is accepted.

4 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Civil

Application, I am satisfied that the Applicant has made out a case for allowing the Civil Application.

5 Hence, following order is passed:

- a. Delay condoned.
- b. Order dated 18.11.2014 passed by the learned Registrar (Judicial-II) is set aside.
- c. First Appeal is restored to file against Respondent No.2.
- d. The Applicant to take appropriate steps for service on Respondent No.2 on or before 30.11.2019, failing which the Civil Application shall stand dismissed without further reference to the court.
- e. The Civil Application stands disposed of accordingly.
- f. No order as to costs.

(K.K.TATED, J.)