

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1007 OF 2019
IN
FIRST APPEAL NO.1072 OF 2015**

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. J.J. Bardeskar for applicant.

**CORAM : K. K. TATED, J
DATE : MARCH 29, 2019**

P.C.:

. Heard learned Counsel for the applicant.

2. By this Civil Application, applicant/original claimant is seeking permission to withdraw the amount deposited by the appellant. The learned Counsel for the applicant submits that as per the noting of the department, First Appeal as well as Civil Application for stay stands dismissed. To that effect, office note reads thus :-

“Note: As per Registrar's (Judicial-II) order dt.27/06/2016 (flag'A') advocate for Appellant has not supplied copies within stipulated period i.e. upto 11/07/2016, (02 weeks from the date of order). Hence, First Appeal No.1072 of 2015 alongwith Civil Application No.3236 of 2015 stands dismissed for non compliance of conditional order dated 27/06/2016.

We may, therefore, send all papers to Decree Department for further procedure.”

3. The learned Counsel for the applicant submits that in view of disposal of the First Appeal nothing survives in the present Civil Application. He submits that applicant may be permitted to file appropriate application for recovery of the compensation before Motor Accident Claims Tribunal, Islampur. Same is permitted.

4. Civil Application stands disposed of as infructuous with liberty as prayed.

5. No order as to costs.

(K.K.TATED, J.)