

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.2159/2018
in
First Appeal No.74/2017

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
Mrs. Tanaya Goswami, AGP for the Applicant	

CORAM: K.K.TATED, J.
DATED : OCTOBER 3, 2019

P.C.

1 Heard. By this Civil Application the Applicant is seeking restoration of the First Appeal which stood dismissed in view of conditional order dated 09.01.2017 passed by this court for non filing of the private paper book within four months from the date of order.

2 The learned AGP submits that it remained on their part to file the paper book. She seeks four weeks' time to file the same.

3 Considering the submissions made by the learned AGP 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.

4 Hence, following order is passed:

- a. Delay in filing the Civil Application is condoned.
- b. The First Appeal is restored to file.
- c. The Applicant to file private paper book on or before 30.11.2019, failing which the First Appeal shall stand dismissed without further reference to the court.
- d. The Civil Application stands disposed of accordingly.
- e. No order as to costs.

(K.K.TATED, J.)