

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.1525/2014
in
First Appeal No.1700/2011

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
Mr. Preem Sood i/b Akshay Shah for the Applicant	

CORAM: K.K.TATED, J.
DATED : AUGUST 13, 2019

P.C.

1 Heard. The learned counsel for the Applicant submits that the Respondents are duly served.

2 The learned counsel for the Applicant submits that he received instructions from his client to delete the name of Respondent No.2 from the cause title of the Civil Application. He undertakes to carry out appropriate amendment during the course of the day.

3 By this Civil Application, the Applicant seeks condonation of delay in filing the Application for restoration of the First Appeal which stood dismissed for default on 15.09.2011.

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, the following order is passed:

- a. The Applicant is permitted to delete the name of Respondent No.2 from the cause title of the Application.
- b. Amendment to be carried out during the course of the day.
- c. The First Appeal is restored to file for hearing on merits.
- d. Order dated 15.09.2011 passed by this court is recalled.
- e. The Civil Application stands disposed of accordingly.

(K.K.TATED, J.)