

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1907 OF 2015
IN
FIRST APPEAL NO.713 OF 2011**

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.T.J.Pandian for the applicant

Mr.Jayant Gaikwad I/b Mr.Mazgaonkar for the
respondent no.3

**CORAM : K. K. TATED, J
DATE : MARCH 22, 2019**

P.C.:

. Heard.

2 By this Civil Application, applicant is seeking restoration of First Appeal No.713 of 2011 which was dismissed for non-compliance of order dated 30.08.2013 passed by this court in Civil Application No.492 of 2013.

3 The learned counsel for the applicant submits that this court by order dated 30.08.2013 directed applicant to file private

paper book on or before 27.09.2013. He submits that inadvertently it remained on their part to comply the said order in time. He submits that they already filed private paper book on 19.03.2019 with copy to other side. He submits that in the interest of Justice, this Hon'ble Court be pleased to restore First Appeal No.713 of 2011 and hear the same on its own merits.

4 Considering the submissions made by the learned counsel for the Applicant and the averments made in Civil Application, I am satisfied that the Applicant has made out a case for allowing the Civil Application. Hence, following order is passed:

A First Appeal No.713 of 2011 and pending Civil Application if any restored on file for hearing on its own merits.

B Private paper book filed by the applicant on 19.03.2019 be accepted.

C Civil Application stands disposed of accordingly.

D No order as to costs.

(K.K. TATED, J.)