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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL APPLICATION NO. 359 OF 2019****IN****APPEAL FROM ORDER NO. 303 OF 2019**

Mr. Jayesh Vinodrai Vastani

.....Applicant

V/s.

Brihan Mumbai Mahanagarpalika

.....Respondent

Mr. Nilesh Soni i/b Mr. Arun Singh for the applicant
Mrs. Madhuri More for BMC

CORAM : K. K. TATED, J.**DATE : APRIL 11, 2019.****P.C.**

Not on board. At the request of the learned counsel for the applicant, matter is taken on production board.

2 Heard the learned counsel for the parties.

3 By this Civil Application, applicant is seeking restoration of

Appeal from Order along with Civil Application which stand dismissed vide order dated 27/03/2019.

4 Considering the submissions made by the learned counsel for the applicant and averments made in Civil Application, I am satisfied that applicant has made out a case for allowing the Civil Application. But at the same time, they have to pay cost of Rs. 5,000/-. Hence, following order:

(A) Order dated 27/03/2019 passed by this Court is recalled.

(B) Appeal from Order (ST) No. 1605 of 2019 along with Civil Application (ST) No. 1607 of 2019 and Civil Application (ST) No. 1609 of 2019 restored to file for hearing on its own merits.

(C) Applicant to pay cost of Rs. 5,000/-.

(D) Cost to be paid to Kirtikar Law Library on or before 30/04/2019 and place on record receipt to that effect, failing which, Civil Application stand dismissed without referring back to the Court.

(E) Civil Application stands disposed of.

[K. K. TATED, J.]