

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.1640/2015
in
First Appeal (ST) No.5410/2015

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or directions
and Registrar's orders

Court's or Judge's orders.

Mr. Ketan Joshi for the Applicant

CORAM: K.K.TATED, J.
DATED : OCTOBER 14, 2019

P.C.

1 Heard. This Application is for condonation 2 days delay in preferring the appeal against the judgment and award dated 07.10.2014 passed by the MACT, Pune in MACP No.397/2003.

2 It is to be noted that the Civil Application stood dismissed against Respondent No.2 vide order dated 20.08.2016 passed by the learned Registrar (Judicial-II).

3 When the matter was on board before this court on 29.08.2019, at the request of the learned counsel for the Applicant, time was granted till 27.09.2019 to take appropriate steps for restoration of the

Civil Application against No.2 on payment of cost of Rs.1000/-.

4 Today the learned counsel for the Applicant submits that it remained on their part to take out appropriate application for restoration of the Civil Application against Respondent No.2. When this court declined to grant any further time, the learned counsel for the Applicant submits that this Hon'ble Court be pleased to grant last chance.

5 Considering the submissions made by the learned counsel for the Applicant and the impugned judgment and award, I am satisfied that, as a last chance, time can be granted to the Applicant to take appropriate steps for restoration of the Civil Application against Respondent No.2, on payment of costs.

6 Hence, following order is passed:

a. Liberty granted to the Applicant to take appropriate steps for restoration of the Civil Application against Respondent No.2 on or before 29.11.2019, failing which the Civil Application shall stand dismissed without further reference to the court.

b. The Applicant to pay costs of Rs.5000/-.

c. Cost shall be paid to the Kirtikar Law Library, High Court, Mumbai and place a receipt thereof on record on or before 16.11.2019, failing which the Civil Application shall stand dismissed without further reference to the court.

d. The Civil Application stands disposed of accordingly.

(K.K.TATED, J.)