

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.3224/2017

in

First Appeal No.297/2015

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
	Mr. Misar for the Applicant Ms. Aditi Athawale I/b. Yogita Deshmukh for the Respondent

CORAM: K.K.TATED, J.

DATED : SEPTEMBER 6, 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 12.03.2015 passed by this court for non filing of paper book within time.

2 The learned counsel for the Applicant submits that by mistake it remained on their part to comply with the said order. He submits that the paper book is ready. He undertakes to file the same in the Registry on or before 21.09.2019 with copy to other side.

3 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.

4 Hence, following order is passed:

- a. The First Appeal is restored to file for hearing and final disposal on merits.
- b. The Applicant to file paper book on or before 21.09.2019 with copy to other side, failing which the Civil Application shall stand dismissed without further reference to the court.
- c. The Civil Application stands disposed of accordingly.
- d. No order as to costs.

(K.K.TATED, J.)