

Tandle

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1121 OF 2019
IN
APPEAL FROM ORDER NO. 249 OF 2018

M/s. Baramati Infra Group
Through its Partner

... Applicant.

Versus

Shri Laxman Nathu Mhatre and Ors.

... Respondents.

.....

Mr. Akhilesh Dubey i/b V. Mishra i/b Nagendra P. Singh for the Applicant.
Mr. Rafeeq Peermohideen a/w Ms. Deepenshi Aboti for Respondent No.6
Mr. Yogesh Bhoge i/b Jurisporitus Mumbai for Respondent Nos. 7 & 9.

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CORAM : A. S. GADKARI, J.

DATE : 3rd DECEMBER, 2019

P. C. :

1. This is an application for restoration of Appeal from Order No.249 of 2018 and Civil Application No.323 of 2018, which were dismissed for non prosecution by Order dated 24th April 2019.
2. Learned counsel for the respondents vehemently opposed the application.
3. The record indicates that, there was delay of 19 days in filing the present application for restoration of Appeal from Order and Civil Application. The condonation of delay application has been allowed by imposing cost of Rs. 25,000/- upon the applicant by an Order dated

23rd September 2019. Learned counsel for the applicant submitted that, he has complied with the directions issued by Order dated 23rd September 2019.

4. Perusal of the application would indicate that, sufficient cause is made out for restoration of Appeal from Order and Civil Application.

In view thereof, Application is allowed in terms of prayer clauses (b).

(A. S. GADKARI, J.)