

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

**CIVIL APPLICATION NO.2401 OF 2019
IN
FIRST APPEAL NO.428 OF 1993**

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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Ms.Tanaya Goswami, A.G.P. for the applicant

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

P.C.:

. Heard.

2 By this Civil Application, Applicant is seeking restoration of First Appeal No.428 of 1993 which stands dismissed for non-prosecution by order dated 6.6.2019.

3 It is to be noted that on 6.6.2019 no one appeared on behalf of Respondent. Therefore, there is no question of issuing notice to the Respondent.

4 Considering the submissions made by the

learned A.G.P. for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, the following order:

- a) Order dated 6.6.2019 passed by this court in First Appeal No.428 of 1993 is recalled.
- b) First Appeal is restored on file for hearing on its own merits.
- c) Learned A.G.P. is directed to inform other side i.e. Respondent or their advocate about today's order in writing.
- d) Civil application stands disposed off accordingly.
- e) No order as to costs.

(K.K.TATED, J.)