

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

CIVIL APPLICATION NO. 465 OF 2017

IN

FIRST APPEAL NO. 563 OF 2015

Nandu Ramshankar Yadav Applicant

V/s.

Savalprasad Baburam Yadav Respondents

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Mr. B.T.Yadav, Advocate for the Applicant.

Mr. Ameya Sudhir Tamhane for Respondents.

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CORAM : K.K.TATED, J.

DATED : 30th AUGUST, 2019

P.C.

1. Not on board. At the request of advocate for applicant by praecipe dated 29th August 2019 matter is listed on production board for urgent order.

2. By this Civil Application applicant is seeking to restore the First Appeal No. 563 of 2015 which stands dismissed for non compliance of an order dated 12th June 2015 that is filing of private paper book within one year.

3. The learned counsel for the applicant submits that inadvertently it remain on their part to comply the said order. He submits that the applicant undertakes to file private paper book on

or before 11th October 2019 with copy to other side. Statement is accepted.

4. Considering the submissions made by advocate for the applicant and averments made in Civil Application, I am satisfied that the applicant has made out a case for following order.

ORDER

- a) First Appeal No. 563 of 2015 is restored on file for hearing on its own merit.
- b) Time to comply the order dated 12th June 2015 that is to file private paper book is extended till 11th October 2019.
- c) Civil Application is disposed of accordingly.
- d) No order as to costs.

(K.K.TATED, J.)