

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

**CIVIL APPLICATION NO.562 OF 2018
IN
FIRST APPEAL (ST) NO.20272 OF 2013**

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.Archana K. Shirsekar for the applicant

**CORAM : K. K. TATED, J
DATE : APRIL 23, 2019**

P.C.:

. Heard.

2 By this Civil Application, Applicant is seeking restoration of Civil Application No.913 of 2014 and First Appeal (ST) No.20272 of 2013 which stand dismissed for non-prosecution by order dated 18.7.2017.

3 The learned counsel for the Applicant submits that Respondents are duly served. She submits that they filed affidavit of service dated 6.12.2017. Same is on record. In spite of service, no one appeared on behalf of

Respondents.

4 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for following order:

- a. Order dated 18.7.2017 passed by this court is recalled.
- b. Civil Application No.913 of 2014 with First Appeal (ST) No.20272 of 2013 is restored on file for hearing on its own merits.
- c. Applicant to reserve the Respondent in Civil Application No.913 of 2014 and file affidavit of service to that effect within four weeks from today.
- d. Civil Application stands disposed of accordingly.
- e. No order as to costs.

(K.K.TATED, J.)