

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

**CIVIL APPLICATION NO.1371 OF 2012
IN
FIRST APPEAL (ST.) NO.18289 OF 2008**

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 : APRIL 4, 2019**

P.C.:

. Not on board. At the request of Advocate for the Applicant, matter is taken on board for urgent orders.

2 Heard.

3 The learned A.G.P. for the Applicant submits that by this Civil Application they are seeking restoration of Civil Application No.995 of 2011 which stand dismissed in view of conditional order dated 29.3.2011 passed by this court for non-filing of affidavit of service.

4 The learned A.G.P. for the Applicant

submits that Applicant undertakes to serve Respondent in Civil Application No.995 of 2011 on or before 7.6.2019 and file affidavit of service to that effect. Same is accepted.

5 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, following order:

- a) Civil Application No.995 of 2011 is restored on file for hearing on its own merits.
- b) Applicant to complete the service in Civil Application No.995 of 2011 on or before 14.6.2012 on Respondents along with entire proceedings by private notice either by registered post A.D. and/or by hand delivery and file Affidavit of Service to that effect.
- c) Civil Application No.995 of 2011 be placed on board on 21.06.2019 for hearing.
- d) Civil application stands disposed off accordingly.
- e) No order as to costs.

(K.K.TATED, J.)