

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.151 OF 2018
IN
CIVIL REVISION APPLICATION NO.411 OF 2016

M/s. Liberty Graphics	... Applicant
V/s.	
M/s. Percept Limited	... Respondent

None for the Applicant
Mr. Milind Gyani I/b. S.S. Gyani & Co., for the Applicant.

CORAM: K.K. TATED, J.

DATED : JANUARY 11, 2019

P.C. :

1 When the matter is called out, no one is appeared on behalf of the Applicant.

2 Hence, the Application is dismissed for non prosecution.

3 Later on, the learned counsel for the Applicant mentioned this matter for restoration.

4 Considering the submissions made on behalf of the Applicant, earlier order is recalled. The matter is restored on file for hearing on its own merits.

5 The learned counsel for the Applicant submits that by this Civil Application they are seeking restoration of Civil Revision

Application No. 411 of 2016 which stands dismissed for non prosecution by an order dated 11th August, 2016. He submits that on 11th August, 2016 the advocate on record for the Applicant was held up in the matter.

6 Considering the submissions made by the learned counsel for the Applicant and for the mistake on the part of the advocate, litigants should not be suffered, I satisfy that the Applicant has made out the case for following order.

- (a) The order dated 11th August, 2016 is recalled.
- (b) The Civil Revision Application No. 411 of 2016 is restored on file for hearing on its own merits.
- (c) Civil Application stands disposed of accordingly.

(K. K. TATED, J.)