

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.363 OF 2018
IN
CIVIL REVISION APPLICATION (ST) NO.2215 OF 2017

Shyam Choithram Moorjani ...Applicant
vs.
Manohar Choithram Moorjani and Ors. ...Respondents
Mr. Vimlesh Singh, for the Applicant.

CORAM : R. G. KETKAR, J.

DATE : AUGUST 02, 2019

P.C.:

- . Heard Mr. Vimlesh Singh, learned counsel for the Applicant.
2. This Civil Application is filed for condoning the delay of 167 days in filing the application for setting aside the conditional dismissal order dated 4th May, 2017 by which the Registrar (Jud.-II) dismissed the Civil Revision Application (St.) No. 2215 of 2017 and thereby restoring the Civil Revision Application to its original file.
3. In paragraph 3 of the Civil Application it is stated that in the month of May, 2017 the Applicant along with wife was required to go to New York to see his newly born grandson who was serious and ill. It is stated that Applicant came back to Mumbai on 4th

August, 2017 and immediately thereafter the Application is taken out.

4. Mr. Singh states that the notices were not issued in the Civil Revision Application as also no caveat was filed. The Respondents did not enter appearance. He further states that after restoration of the Civil Revision Application, within two weeks all office objections will be removed.

5. In view thereof and for the reasons set out in the application, Civil Application is allowed in terms of prayer clauses (a) and (b).

6. Civil Revision Application (St.) No. 2215 of 2017 is restored to its original number.

7. The Applicant to remove all the office objections within four weeks from today failing which the order dated 4th May, 2017 shall stand reviewed without further reference to this Court.

(R.G. KETKAR, J.)