

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1900 OF 2022
IN
FIRST APPEAL NO. 326 OF 2018

Shamji Dayabhai Shah Educational Trust .. Applicant

Versus

Parivar Co-op Housing Society Ltd and ors .. Respondents

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Mr. Prashant P. Chavan with Ravindra R. Chile i/b Divekar and Co. for the applicant.

Mr. Abhishek Patil for respondent no.1.

Ms.Tanaya Goswami, AGP for respondent no.6 State.

CORAM: BHARATI DANGRE, J.
DATED : 2nd MAY 2022

P.C:-

1 By the present Application, First Appeal No.326/2018 which was dismissed for non-filing of the paper book is sought to be restored.

2 By order dated 27/3/2019, while issuing notice, the appellant was directed to file private paper book within a period of one year, failing which the Appeal was directed to be dismissed.

Since there was no compliance of the said order, the Appeal came to be dismissed.

3 Heard learned counsel for the applicant and perused the application, which record that the last date for filing of the private paper book was 26/3/2020, and immediately, thereafter, covid pandemic broke out.

4 I am satisfied with the reasons stated in the application. Necessarily, the Appeal deserve to be restored subject to the stipulation that private paper book shall be filed within a period of two weeks. Since it is informed that it is ready. Appeal is restored

Parties are at liberty to move the Appeal for fixing a date for hearing after summer vacation.

(SMT. BHARATI DANGRE, J.)