

SALGAONKAR
M M

Digitally signed by
SALGAONKAR M
M
Date: 2022.03.31
16:39:47 +0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.1926 OF 2022
IN
SECOND APPEAL NO.535 OF 2011

Premkiran Co-Op.Hsg. Soc. Ltd., .. Applicant
Thane

Versus

Mira Bhayander Municipal Council .. Respondents
through it's Chief Officers & Ors.

...

Ms.Kranti L.C. with Mr.Kaustubh Gidh for the Appellant/
Applicant.

Mr.M.S.Lagu for the Respondent No.1.

Mr.S.S.Patie for the Respondent Nos.2 and 3.

...

CORAM: BHARATI DANGRE, J.
DATED : 29th MARCH, 2022

P.C:-

1. The appeal came to be dismissed in the wake of the conditional order passed by the Registrar (Judicial-II) on 25/08/2021, when four weeks' time was granted to file the private paper-book in the appeal of the year 2011.

Failure to file the private paper-book resulted in it's dismissal.

2. The restoration application is moved on 10/03/2022 and I deem it expedient to grant the restoration, subject to an undertaking by the appellant that the private paper-book shall be filed within two weeks from today. Failure to do so will not permit the appellant to file any application and it is made clear that even if such an application is filed for restoration, it shall not be entertained on any count.

Interim Application No.1926 of 2022 is allowed and the appeal stands restored to the file.

(SMT. BHARATI DANGRE, J.)