

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1071 OF 2019
IN
APPEAL FROM ORDER (ST.) NO.3172 OF 2019
(REJECTED CASE NO. 1400 OF 2019)
IN
DRAFT NOTICE OF MOTION NO. OF 2019
IN
SUIT NO. 3074 OF 2018

**MR. SHANKAR DHARMARAJ GOMTE } APPLICANT
(ORIG.PLAINTIF)**

V/S.

**THE MUNICIPAL CORPORATION
OF GREATER MUMBAI** } RESPONDENT/
(ORIG. DEFENDANTS)

* * * *

**Mr. Akash Singh i/by. Mr. Ashok M. Saraogi, Advocate
for the applicant.**

Mr. R.Y. Sirsikar, Advocate for the respondent- M.C.G.M.

Coram : Sandeep K. Shinde, J.

Tuesday, 5th April, 2022.

P.C. :

1) In view of the self-operative order dated 30th April, 2019, Appeal from Order (St.) No.3172/2019 was dismissed. This application, seeks restoration of Appeal by

condoning the delay of 57 days occurred in filing the Civil Application.

- 2) Heard learned Counsel for the parties.
- 3) For the reasons stated in paragraphs-3, 4 and 5, the application is allowed in terms of prayer clause (a). In consequence, the Appeal is restored to the file.
- 4) Application is disposed of.

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(Sandeep K. Shinde, J.)