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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 102 OF 2022
IN
FIRST APPLICATION NO. 1599 OF 2013**

The Bombay Municipal Corporation of Greater BombayApplicant
V/s.

Mr Ismail Moosabhai BhilakiaRespondent

Mr. Ram S. Apte, a/w Harshal Nahata, i/b Om Suyanwanshi, Advocate for the
Applicant-Corporation.

CORAM : GAURI GODSE, J.

DATE : 22nd September 2022.

P.C.

1. This application is for condonation of delay of 73 days in filing present application and for setting aside Order dated 11th September 2014 to the extent of granting conditional time for filing private paper-book. By Order dated 11th September 2014, First Appeal was admitted and conditional time was granted to file private paper book. Private paper-book was not filed within time, hence First Appeal stood dismissed for want of prosecution.

2. Office remark shows that a copy of the application is served upon the Respondent. However, there is no affidavit in reply filed opposing the present application. None appears for Respondent today. Application is allowed for the

reasons stated in the application. Delay in filing application is condoned and First Appeal is restored to file, subject to Applicant filing private paper-book within a period of four weeks from today.

3. Applicant shall serve copy of this order as well as copy of private paper-book on the Respondents. This order of restoration is only limited to restoration of the First Appeal. Applicant is at liberty to apply for interim relief, if any.

4. Application is disposed of in above terms.

[GAURI GODSE, J.]