

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 399 OF 2020

IN

REJECTED CASE NO. 1444 OF 2017

Union of India through Dy. Chief ... Appellant/Applicant
Claims Officer

V/s.

Mohan Faku Sharma ... Respondent

Mr. Sachin R. Pawar h/f Mr. Chetan C. Agrawal, for the
appellant/applicant.

CORAM : KISHORE C. SANT, J.

DATE : 26TH APRIL 2024.

PC:

1. This application is filed seeking restoration of the Civil Application No. 1241 of 2010 which came to be dismissed in view of conditional order dated 26th June 2013. The appellant failed to take steps as against the unserved respondent in the Civil Application. Learned advocate for the applicant now submits that he would take steps to serve unserved respondent within two weeks from today. In view of the same, the order dated 26th June 2013 is hereby quashed and set aside. Civil Application stands allowed and is disposed of.
2. Order dated 12th October 2017 is also set aside. Application is thus allowed in terms of prayer clauses (B), (C), (D) and (E).

3. There is delay of 5 years and 68 days in filing this application. For the reasons recorded in the application, the application stands allowed. Delay stands condoned.
4. The application is disposed of.

(KISHORE C. SANT, J)