

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.18100 OF 2023
IN
LETTERS PATENT APPEAL NO.40 OF 2011
IN
WRIT PETITION NO.7 OF 2011**

Dnya-Kautomotives Stampings
Pvt. Ltd.

.. Applicant
(Orig. Appellant)

V/S.

K P Rameshan

.. Respondent

Mr. Neel Helekar a/w. Vipul Patel, A/W. Mr.Rachit Bharwada i/b.
Haresh Mehta & Co. for the Applicant.
Mr. Nitin Kulkarni for the Respondent.

**CORAM : A. S. GADKARI &
SHYAM C.CHANDAK, JJ.**

DATE : 15th JANUARY, 2024.

P.C. :

1) This is an Application for restoration of Letters Patent Appeal No. 40/2011, which was dismissed for non-prosecution by an Order dated 16th February 2023. There is a delay of 255 days in preferring the present Application.

2) Mr.Kulkarni, learned counsel appearing for Respondent opposed the Application and submitted that justifiable reasons are not given in the Application for condonation of such an inordinate delay of

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255 days in preferring the present application.

3) However, we are inclined to condone the delay in the interest of justice subject to condition that the Applicant shall pay a cost Rs.15,000/- to the Advocates' Association of Western India Generation Next Fund, Mumbai, within a period of two weeks from the date of uploading of present Order on the official website of Bombay High Court.

3.1) Details of the bank account for payment of cost are as under :-

Account Name :- Advocates Association of Western
India Generation Next.

Account Number :- 000110110007807.

Bank Name :- Bank of India.

Branch Name :- Mumbai Main.

IFSC Code :- BKID0000001.

Applicant to deposit the said cost within stipulated period as noted above and submit receipt of the same in the Registry of this Court.

4) In view of the above and subject to payment of cost, Application is allowed in terms of prayer clauses (a), (b) and (c).

(SHYAM C. CHANDAK, J.)

(A. S. GADKARI, J.)