



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 9400 OF 2024

IN

CIVIL APPLICATION NO. 3637 OF 2016

IN

FIRST APPEAL ST. NO. 34042 OF 2013

[Rejected Case No. 719 of 2015]

Superintending Engineer & Others. ...Applicant/Appellant.

Versus

Finolex Industries Limites. ...Respondent.

Ms. Radha H. Bhandari i/b M. V. Kini & Co., for the Appellant.

Coram : Sharmila U. Deshmukh, J.

Date : July 9, 2024.

P. C. :

1. Interim application has been preferred seeking restoration of Civil Application No.3637 of 2015, which was dismissed for non prosecution by order dated 16th August 2019. The First Appeal is of the year 2013 and till date not admitted. The First Appeal was dismissed for non removal of office objections and civil application taken out for recall of the order of dismissal was dismissed for non prosecution. Present interim application is now taken out seeking recall of the order dated 16th August 2019.

2. Considering the manner in which the entire proceedings have been handled, the interim application is allowed and the order dated

16th August 2019 is recalled subject to payment of cost of Rs.5,000/- to Kirtikar Law Library, High Court of Bombay. Interim application stands disposed of.

[Sharmila U. Deshmukh, J.]