

Gujarat High Court

Dabhi vs Unknown on 18 September, 2008

Author: H.K.Rathod,&Nbsp

Gujarat High Court Case Information System

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MCA/2492/2008 2/ 2 ORDER

IN
THE HIGH COURT OF GUJARAT AT AHMEDABAD

MISC.CIVIL
APPLICATION - FOR RESTORATION No. 2492 of 2008

In

FIRST
APPEAL (STAMP NUMBER) No. 2398 of 2005

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DABHI
PARULBEN JAGDISHBHAI & 2 - Applicant(s)

Versus

VINODBHAI
DAYALBHAI MOCHI & 2 - Opponent(s)

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Appearance
:
MR
DC SEJPAL for
Applicant(s) : 1
- 3.
None
for Opponent(s) : 1 -
3.

=====

CORAM

:

HONOURABLE

Date
: 18/09/2008

ORAL
ORDER

Heard learned advocate Mr. D.C. Sejpal appearing on behalf of applicant.

The present application is filed with a prayer to recall the order passed by this Court on 13th March 2006 where the matter is dismissed in default as the office objections are not removed in time by the applicant. The prayer is also made to condone the delay of 395 days in filing present Misc. Civil Application.

I have considered the submissions made by learned advocate Mr. Sejpal and also considering the averments made in this application followed by affidavit, the delay of 395 days is hereby condoned in the interest of justice as sufficient cause has been shown by the applicant to the satisfaction of this Court.

The order passed by this Court on 13th March 2006 is hereby recalled and First Appeal (Stamp) No.2398 of 2005 is restored to its original file.

The time is further extended to remove the office objections, if any, for a period of one month from today, failing which, matter shall stand dismissed in default without reference to this Court.

Accordingly, present Misc. Civil Application is disposed of.

[H.K.

RATHOD, J.] #Dave Top