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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.11389/2013
IN
FIRST APPEAL NO.165/1997

Dattatraya Genba Darekar & others.
...Applicants..

Versus

The State of Maharashtra & another.
...Respondents...

.....

Shri S.D. Munde, Advocate h/f Shri R.R. Karpe, Advocate
for applicants.

Shri R.B. Bagul, AGP for respondent no.1.

Shri V.P. Latange, Advocate for respondent no.2.

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CORAM: T.V. NALWADE, J.

DATE: 18.11.2015

ORDER :

1] Learned counsel for respondents waive service of
notice on behalf of respective respondents.

2] Heard both the sides.

3] the application is filed for setting aside the order
of dismissal of appeal for default passed by this Court.

4] In view of contents of the application, submissions
made by the learned counsel for the parties and as the
learned counsel for the applicants is taking blame to

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himself, the application is allowed. The order of dismissal of appeal for default is hereby set aside. The matter is restored to its original number. List the appeal for final hearing on 17.12.2015.

(T.V. NALAWADE, J.)