

IN THE HIGH COURT OF JUDICATURE AT MUMBAI
 CIVIL APPELLATE JURISDICTION
 CIVIL APPLICATION NO.995 OF 2014
 IN
 SECOND APPEAL NO.147 OF 1992
 (Bandu L. Chandanshive and others Vs. Maruti C. Khande and another)

Office Notes, Office Memoranda of Coram, appearances, Court's orders, or directions, and Registrar's Orders	Court's or Judge's orders
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Mr. Vinod Sangvilkar i/b. Mr. Umesh R. Mankapure for Applicants.

Mr. Rajan Pawar, AGP for Respondent No.2-State.

CORAM : R. G. KETKAR, J.

DATE : 27TH MARCH, 2015

P.C.:

Heard Mr. Sangvilkar, learned Counsel for applicants and Mr. Pawar, learned AGP for respondent No.2-State.

2. This is an application for recalling the order dated 11.06.2014 by which the Second Appeal was dismissed in default. By order dated 31.10.2014, Rule was issued on the application subject to the applicants depositing costs of Rs.1,500/- each for respondents No.1 and 2. Mr. Sangvilkar states that applicants have deposited that amount in the Registry.

3. Office remark shows that respondent No.1 is served. However, none appears for respondent No.1. After considering the submissions advanced by the learned Counsel appearing for

the parties, I am satisfied that the applicants have made out sufficient cause for allowing Civil Application. Hence, rule is made absolute in terms of prayer clause (a). Second Appeal No.147 of 1992 is restored to the file of this Court. Respondents are at liberty to withdraw the amount so deposited by the applicants in the Registry.

(R. G. KETKAR, J.)

Minal Parab