

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.288 OF 2015
IN
SECOND APPEAL NO.500 OF 2012**

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|----|--------------------------------|-----------------|
| 1. | Shri Kisan Anna Kale and ors. | .. Applicants. |
| | V/s | |
| 1. | Shri Dilip Baban Kale and ors. | .. Respondents. |

Mr. Drupad Patil, for Applicants.

Coram : Smt. R.P. SondurBaldota, J.

Date : 11th March, 2015

P.C.

1. This Civil Application is for restoration of the Second Appeal which was dismissed on 08th January, 2013 after condoning the delay of 740 days. Since the notice of the Second Appeal had not been issued to the respondents, they are not required to be heard for restoration of the Second Appeal. Heard Mr Patil, the learned advocate appearing for the applicants. Perused the application. For the reasons stated therein, the application is allowed in terms of prayer clauses – (a) and (b).
2. Office to place the Second Appeal on the board for 'admission' on 16th March, 2015.

(Smt. R.P. SondurBaldota, J.)