

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

***CIVIL APPLICATION NO.474 OF 2015
IN
SECOND APPEAL NO.16 OF 2011***

Geeta Shirish Borawake & Anr. .. Applicants
Vs.
Rajendra Nathu Gaikwad & Anr. .. Respondents

Mr.Shailendra Kanetkar for the applicants.
None for the respondents.

***CORAM : R.D. DHANUKA, J.
DATE : 2nd December 2015***

P.C.

. By this civil application, the applicants seek condonation of delay of 2 years and 81 days in filing the present civil application and pray for recall of the order dated 21st November 2012 passed by the Registrar (Judicial-II).

2. Mr.Kanetkar, learned counsel appearing for the applicant states that the applicant had already filed civil application for taking steps to serve the respondent no.1. He submits that the order dated 21st November 2012 passed by the Registrar (Judicial-II) thereby passing the conditional order be set aside.

3. For the reasons recorded in the civil application, civil application is allowed in terms of prayer clauses (a) and (b). The order dated 21st November 2012 passed by the Registrar (Judicial-II) is set

aside. Delay of 2 years 81 days in filing the present civil application is condoned. Second appeal is restored to file against the respondent no.1. No order as to costs.

R.D. DHANUKA, J.