

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

**CIVIL APPLICATION NO.1529 OF 2014  
IN  
WRIT PETITION NO.11420 OF 2012**

**Viru Namdeo Lokhande and anr. : Applicants.  
Versus  
Shri Swaminarayan Sanskruti Seva Trust  
Through its Constituted Attorney  
Shri Prafful Chintaman Mootta and ors. : Respondents.**

**Mr. Tejas D Deshmukh for the Applicants.  
None for the Respondent No.1**

**CORAM : R. M. SAVANT, J.  
DATE : 17<sup>th</sup> July 2015**

**P.C.**

1           The above Civil Application has been filed for restoration of the above Petition which has stood dismissed for non-prosecution in view of the conditional order dated 20/1/2014 on account of non-service of the notice on the Respondent Nos.1 and 4. In so far as the Respondent No.4 is concerned, the learned counsel for the Applicants/Petitioners has made a statement on 27/4/2015 that the said Respondent No.4 would be deleted. In so far as the Respondent No.1 is concerned, the Applicants/Petitioners have filed Civil Application No.1115 of 2015 for effecting substituted service on the Respondent No.1.

2           In the light of the aforesaid, in my view, it would be just and

proper to allow the above Civil Application which is accordingly allowed. Resultantly, the above Writ Petition is restored to file. Amendment in so far as deletion of the Respondent No.4 ;is concerned, to be carried out within two weeks from date. The above Civil Application is accordingly disposed of.

**[R.M.SAVANT, J]**