

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

**CIVIL APPLICATION NO.898 OF 2015
IN
WRIT PETITION NO.286 OF 2014**

**Shrikrishna Nagrik Sahkari Patpedi Ltd.
Through Manager : Applicant/Petitioner
Versus
Umashankar Kanyalal Gupta and ors. : Respondents.**

**Mr. Prabhakar Jagdale for the Applicant/Petitioner
Mr. S K Hande for the Respondent No.3**

**CORAM : R. M. SAVANT, J.
DATE : 29th June 2015**

P.C.

1 The above Civil Application has been filed for restoration of the above Writ Petition against Respondent No.2 which has stood dismissed for non-prosecution in view of the conditional order dated 15/11/2014. The conditional order was in respect of effecting service on the Respondent No.2.

2 In my view, since the Petition has been dismissed against Respondent No.2 on a technical reason, the above Civil Application is required to be allowed and is accordingly allowed. Resultantly the above Petition is restored against Respondent No.2. Issue fresh notice to the Respondent No.2, returnable on 27th July 2015. In addition to service of notice through Court, the advocate for the Applicant/Petitioner shall serve a private notice by Registered Post A.D. and/or by Courier service and/or by hand delivery on the Respondent

No.2 and shall file affidavit of service before the returnable date. The above Civil Application is accordingly disposed of.

[R.M.SAVANT, J]