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IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1173 OF 2013
IN
SECOND APPEAL NO. 753 OF 2011

M/s.Bhimale & Sons

Through its partners

1.Mr.Narayan Husanappa Bhimale and another .. Applicants

Vs.

Sarojinibai Sadashivrao Pantsachiv and others .. Respondents

Mr.Prasad B.Kulkarni, Advocate for Applicants.

CORAM : R. G. KETKAR, J.

DATE : 27th MARCH, 2015

P.C. :

. Heard Mr.Prasad B.Kulkarni, learned Counsel for the applicants.

2. This is an application for restoration of the Second Appeal which was dismissed in default by order dated 03/05/2013. Mr.Kulkarni submitted that by order dated 03/05/2013, Second Appeal was dismissed as he could not attend the matter. He further states that notices were not issued in the main appeal.

3. In view thereof and for the reasons stated in the application, Civil Application is allowed in terms of prayer clauses (a) & (b) with no order as to costs. Second Appeal is restored to its original position.

4. List the Second Appeal for admission on 28/04/2015

(R. G. KETKAR, J.)

