

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2165 OF 2015
IN
WRIT PETITION NO.2863 OF 2015**

**Amrut Aungan Building No.1
Co-op HSG Soc. Ltd. ..Applicant
Vs.
M/s. Shri Ram Builders & Ors. ..Respondents**

**WITH
CIVIL APPLICATION NO.2166 OF 2015
IN
WRIT PETITION NO.2837 OF 2015**

**Amrut Aungan Building No.2
Co-op HSG Soc. Ltd. ..Applicant
Vs.
M/s. Shri Ram Builders & Ors. ..Respondents**

**WITH
CIVIL APPLICATION NO.2167 OF 2015
IN
WRIT PETITION NO.2838 OF 2015**

**Amrut Aungan Building No.3
Co-op HSG Soc. Ltd. ..Applicant
Vs.
M/s. Shri Ram Builders & Ors. ..Respondents**

Mr. Rahul S. Kate for the Applicants

**CORAM : R. M. SAVANT, J.
DATE : 31st July, 2015**

P.C.

1 The above Civil Applications have been filed for restoration of the

respective Writ Petitions which have stood dismissed for non prosecution on account of the conditional order dated 10-6-2015 passed by this Court. It is the case of the Petitioners that the notices to the Respondent No.3 were sought to be served but the acknowledgements were not received and hence the affidavit of service could not be filed as directed by the said order. In my view, having regard to the fact that the Petitions have been dismissed on a technical ground, the above Civil Applications are required to be allowed and are accordingly allowed, resultantly the Writ Petitions are restored to file.

2 Hence, issue fresh notice to the Respondents in the Writ Petitions returnable after 4 weeks. In addition to service of notice through Court, the advocate for the Applicants shall serve a private notice by Registered Post A.D. and/or by Courier service and/or by hand delivery on the Respondents and shall file affidavit of service before the returnable date.

3 The Civil Applications are accordingly disposed of.

[R.M.SAVANT, J]