

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

CIVIL APPLICATION NO.2133 OF 2015

IN

CIVIL APPLICATION NO.2529 OF 2013

IN

WRIT PETITION NO.5833 OF 2000

Smt. Shakuntala B. Pawar

(Since deceased through her legal heirs)

Ganesh Baburao Pawar and others

.. Applicants

Versus

Smt. Sulbha Kashinath Sawant

@ Manik Keshav Jadhav and another

.. Respondents

Mr. G. V. Nagarseth, for the Applicants.

**Mr. R. D. Rane i/by Mr. P. J. Shinde, for the Respondent No.1/ original
Petitioner.**

CORAM : R.M. SAVANT, J.

DATE : 28th SEPTEMBER, 2015

PC.

1. The above Civil Application has been filed for setting aside the order dated 07.05.2015 passed by the Learned Registrar, Judicial-I of this Court dismissing the above Civil Application against the Respondent No.2 and for service of the notice on the Respondent No.2 at the address which is handwritten in the cause title, which is the relief sought vide prayer clause (c). The Learned Counsel appearing for the Respondent

No.1/original Petitioner states that the need to serve the Respondent is obviated in view of the subsequent events which have transpired, wherein the decree has already been executed and the possession has already been handed over the Respondent No.2 Trust. That is an aspect which can be gone into at the hearing of the main application i.e. Civil Application No.2529 of 2013. For the present, the above Civil Application No.2133 of 2015 is allowed. Resultantly, Respondent No.2 is allowed to be served at the address which is handwritten in the cause title. Notice is made returnable in three weeks.

[R.M. SAVANT, J]

CERTIFICATE

Certified to be true and correct copy of the original signed
Judgment/Order.