

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

CIVIL APPLICATION NO.2084 OF 2014

IN

WRIT PETITION NO.4347 OF 2013

Sanjay Hariram Lulla and another .. Applicants/Petitioners

Versus

Suresh M. Pandya and others .. Respondents

**Shri. V. R. Tripathi i/by V. R. Tripathi & Associates, for the Applicants/
Petitioners.**

None for the Respondents.

CORAM : R.M. SAVANT, J.

DATE : 3rd JULY, 2015

PC.

1. The Civil Application has been filed for restoration of the above Petition against Respondent Nos.1, 2, 5, 7 to 10 and 14. The above Writ petition has been dismissed against the said Respondents in view of the conditional order dated 16.04.2014 passed by the Registrar Judicial (I) of this Court. The Learned Counsel for the Petitioner Shri. V. R. Tripathi states that in fact the said Respondents were served by private Advocate's notice on 27.06.2013. It is the contention of the Learned Counsel for the Petitioners that oblivious of the said fact the conditional order dated 29.01.2014 came to be passed. The affidavit of service has been annexed

to the above Civil Application. In my view, it would be appropriate to restore the above Petition against Respondent Nos.1, 2, 5, 7 to 10 and 14. The officer to verify from the affidavit of service whether the said Respondents are served. The Civil Application is accordingly allowed. Resultantly, the Petition is restored to file against the Respondent Nos.1, 2, 5, 7 to 10 and 14. The Petition to be listed after two weeks by which time the office to put up its note.

[R.M. SAVANT, J]