

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

**CIVIL APPLICATION NO.2869 OF 2015
IN
WRIT PETITION NO.9142 OF 2014**

**Shivaji Genubhau Bankar and anr. : Applicants.
Versus
Kisan Tukaram Bankar and ors. : Respondents.**

Mr. Deepak M Gupte for the Applicant.

**CORAM : R. M. SAVANT, J.
DATE : 16th October 2015**

P.C.

1 The above Civil Application has been filed for restoration of the above Petition which has stood dismissed for non-prosecution on account of the conditional order dated 11/09/2015 passed by this Court. The reasons why the said conditional order could not be complied with have been mentioned in the Civil Application. Hence accepting the said reasons, the above Civil Application is allowed. Resultantly, the above Writ Petition is restored to file. On restoration, the ad-interim relief granted vide order dated 23/07/2015 would stand restored.

2 On restoration of the above Writ Petition, issue fresh notice to the Respondents, presently restricted to the Respondent Nos. 1 to 4 who are the main contesting Respondents, returnable on 20/11/2015. In addition to service of notice through Court, the advocate for the Petitioners shall serve a private

notice by Registered Post A.D. and/or by Courier service and/or by hand delivery on the said Respondents and shall file affidavit of service before the returnable date.

[R.M.SAVANT, J]