

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.3004 OF 2013
IN
WRIT PETITION NO.3911 OF 2012**

Subhadrabai Madhukar Gurav & Ors.

..Applicants

Vs.

Dhondiba Babu Shivekar & Ors.

..Respondents

Mr. Jaydeep Deo for the Applicants

Ms. P. S. Cardozo AGP for the Respondent No.8

CORAM : R. M. SAVANT, J.

DATE : 25th MARCH, 2015

P.C.

1 By an order passed today i.e. 25-3-2014 in Civil Application No.724 of 2015 , the above Civil Application has been restored to file. The above Civil Application has been filed for restoration of the above Petition by setting aside the order dated 27-8-2012 by which the above Petition has been dismissed for non prosecution on account the non appearance of the Learned Advocate for the Petitioners on 27-8-2012 when the above Petition was listed. The reasons why the Learned Advocate could not appeared on the said date are mentioned in paragraph 6 of the above Civil Application. Since none had appeared for the parties when the Writ Petition was dismissed for non prosecution, it is not necessary to issue notice to the Respondents. The Civil Application is accordingly allowed, resultantly the Writ Petition is restored to file. List the Petition for admission after 3 weeks. The Civil Application is accordingly disposed of.

[R.M.SAVANT, J]