

IN THE HIGH COURT OF JUDICATURE AT MUMBAI

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1707 OF 2014

IN

CIVIL APPLICATION NO.541 OF 2011

IN

SECOND APPEAL NO.207 OF 2011

(Vinayak H. Madaye and ors. Vs. Sumitra G. Shivalkar and ors.)

Office Notes, Office Memoranda of Coram, appearances, Court's orders, or directions, and Registrar's Orders	Court's or Judge's orders
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Mr. Sushil Inamdar i/b. Mr. Madhav J. Jamdar for Applicants.

CORAM : R. G. KETKAR, J.

DATE : 18TH APRIL, 2015

P.C.:

Heard Mr. Inamdar, learned Counsel for applicants.

2. This is an application for setting aside the order dated 27.08.2014 passed by the Registrar (Judl.II) in Civil Application No.541 of 2011 in the above Second Appeal after condoning the delay of 68 days.

3. Mr. Inamdar submitted that by order dated 27.08.2014, applicants were given three weeks time to take steps as regards unserved respondent No.3, failing which, Civil Application was to stand dismissed against the respondent No.3.

4. For the reasons stated in paragraph (V) of the Civil Application, I am satisfied that applicants have made out sufficient cause for condoning the delay. Hence, Civil

Application is allowed in terms of prayer clauses (a) and (b) with no order as to costs. Civil Application No.541 of 2011 is restored to the file of this Court along with Second Appeal No.207 of 2011.

(R. G. KETKAR, J.)

Minal Parab