

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

12 SECOND APPEAL NO. 502 OF 2000
WITH X-OBJST/4972/2005 IN SA/502/2000 WITH CA/5707/2016 IN
SA/502/2000 WITH SA/368/2001 WITH CA/5706/2016 IN
SA/368/2001

GANGARAM VISHWANATH SURVASE AND ORS
VERSUS
VISHWANATH GANGARAM SURVASE AND ORS

...
Advocate for Appellants : S V Jadhav Patil
Advocate for Respondents 2 & 3 : B N Patil
...

CORAM : T.V. NALAWADE, J.
DATED : 7th June, 2016.

ORDER :

1. Civil Application Nos. 5707/2016 and 5706/2016 are filed by respondent No. 1 – Vishwanath Surawase of the appeals for setting aside the order made by the learned Registrar Judicial. The learned Registrar Judicial has dismissed the appeals as against respondent No. 1 for default. Respondent No. 1 wants to come on record to contest the matter. Appellants are his sons. Though there is huge delay of 3650 days, in view of the peculiar circumstances like respondent No. 1 himself wants to come on record, this Court holds that applications need to be allowed. In the result, the applications are allowed. The orders of learned Registrar Judicial is hereby set aside. Appearance of respondent No.1 is to be noted in the appeal memo. Both the applications are disposed of. Amendment is to be carried out immediately.

[T.V. NALAWADE, J.]

ssc/