

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

51 CIVIL APPLICATION NO. 33 OF 2010
IN FA/259/2000

SAYED HASONODDIN SD. ALI AND ANR
VERSUS
CHANDRAKUMAR VENKATIDAS CHOUDHARI AND ORS

...
Advocate for Applicants : Shri S.G.chapalgaonkar
Advocate for Respondent No. 2 : M.S. Kotate
Advocate for Respondent No. 3 : R.F. Totala
Advocate for Respondent No. 4 : J.R. Shaikh
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CORAM : T.V. NALAWADE, J.
DATED : 11th January, 2016.

PER COURT :

1. The application is filed for setting aside the order of dismissal made against respondent No. 1. Notice could not be served on respondent No. 1 as he was not residing on given address. In view of the submissions made and contents of the application, the application is allowed. The order of dismissal is set aside. Amendment is to be carried out immediately in the appeal memo. Notice is to be issued to respondent No. 1 through paper publication made returnable on 26.2.2016. Charges are to be deposited before 22.1.2016.

[T.V. NALAWADE, J.]

ssc/