

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 259 OF 2015

IN

SECOND APPEAL NO. 67 OF 2014

SHRI. SURYAKANT NARAYAN BORKAR
(DECEASED) THROUGH LR'S AND ANR.,

... Applicants

Versus

SHRI. KRISHNA USNO PAI (SINCE
DECEASED) AND ANR.,

... Respondents

Ms. Sushma T. Mandrekar, Advocate for the applicants.

Coram:- F. M. REIS, J.

Date:- 14th July, 2016

P.C.

Heard Ms. S. Mandrekar, learned counsel appearing for the applicants.

2. This is an application to recall the order dated 20.02.2015 dismissing the appeal preferred by the applicants for non prosecution. It is pointed out that as the name of the earlier Advocate was not figuring in the cause list, the concerned Advocate failed to remain present when the matter was taken up for hearing. The facts averred in the application stand uncontroverted as the respondents have failed to appear despite of being duly served. Hence, the application is allowed. The order dated 20.02.2015 stands recalled. Second Appeal stands restored to the file.

3. The application stands disposed of accordingly.

F. M. REIS, J.

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