

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL APPLICATION NO.1895 OF 2011

IN

REJECTED CASE NO.640 OF 2011

IN

CIVIL APPLICATION NO.1174 OF 2010

IN

WRIT PETITION NO.8706 OF 2005

Pravinkumar Santokdas Vaishnav and others .. Applicants

Versus

Shyam Pandurang Shete

(Since deceased through Lrs)

Ashok @ Balu Shyam Shete and others .. Respondents

Mr. V. P. Patankar, for the Applicants.

CORAM : R.M. SAVANT, J.

DATE : 24th FEBRUARY 2016

PC.

1. The above Civil Application has been filed for restoration of Civil Application No.1174 of 2010 which has been dismissed for non-prosecution on account of the conditional order dated 03.05.2010 passed by a Learned Single Judge of this Court (Coram: Anoop V. Mohta, J.). Thereafter another order was passed on 31.01.2011 directing the Petitioners to remove office objections and it was made clear that

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otherwise the Civil Application Stamp shall not be restored. The Petitioners have not taken steps to remove the office objections within the time stipulated by the order dated 31.01.2011 passed by the Learned Registrar Judicial-I resulting in the said Civil Application No.1174 of 2010 being dismissed for non-prosecution. In the above Civil Application No.1895 of 2011 the Respondents are served. However, no appearance is put up on behalf of the Respondents. Hence, the Civil Application is allowed. Resultantly, the Civil Application No.1174 of 2010 is restored to file.

[R.M. SAVANT, J]