

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

CIVIL APPLICATION NO.3675 OF 2010

IN

FIRST APPEAL STAMP NO.21094 OF 2006

(R. C. NO.1496 OF 2010)

The State of Maharashtra and others

.. Applicants

Versus

Radhabai Baban Maskare

(Since deceased through her legal heirs)

Mahalu Baban Maskare

(Since deceased through his legal heirs)

Popat Mahalu Maskare and others

.. Respondents

Mr. A. R. Patil AGP for the Applicants.

CORAM : R.M. SAVANT, J.

DATE : 8th JUNE 2016

PC.

1. The above Civil Application has been filed for restoration of the above First Appeal which has stood dismissed for non-prosecution on account of the non-removal of the office objection in the matter of service on the Respondent. The Applicants also pray for condonation of delay of 48 days in filing the application. The heirs of the Respondent have been served, but no appearance is put up on their behalf. The Civil Application

(4) - CAF-3675-10.doc

is accordingly allowed. The First Appeal is accordingly restored to file. The Civil Application is accordingly disposed of.

2. On restoration of the First Appeal, leave to amend so as to bring the heirs of the Respondent on record is granted. Amendment to be carried out within two weeks. List the First Appeal for admission after three weeks i.e. on 28.06.2016.

[R.M. SAVANT, J]