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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1915 OF 2015
IN
SECOND APPEAL (STAMP) NO.24706 OF 2008

Narayan P. Chavan, since deceased
through His L.R. - Vitthal N. Chavan
V/s.

...Applicant

Rajaram G. Chavan & Ors.

...Respondents

Mr.Ravi Kadam i/b Mr.Prabhanjan Gujar for the Applicant.

None for the Respondents.

CORAM : R.D. DHANUKA, J.
DATE : 16TH SEPTEMBER, 2016.

P.C. :-

1. Learned counsel appearing for the applicant states that all the respondent are served. The statement is accepted. None appeared for the respondents, though served. No affidavit in reply has been filed by the respondents.

2. I have heard the learned counsel appearing for the applicant and have perused the civil application. It is submitted by the learned counsel for the applicant that the applicant has already filed the civil applications for setting aside the abatement of the applicant and also for setting aside the order of dismissal against some of the

respondents, which are on board.

3. In my view, the case is made out by the applicant for condonation of delay in filing this civil application and for recall of the conditional order dated 8th November, 2011. The conditional order dated 8th November, 2011 is recalled.

4. For the reasons recorded in the civil application, the civil application is made absolute in terms of prayer clauses (a) and (b).

No order as to costs.

(R.D. DHANUKA, J.)