

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

CIVIL APPLICATION NO. 1795 OF 2017

IN

FIRST APPEAL NO. 3242 OF 2015

SADHANA BALKRISHNA PANSAMBAL AND OTHERS

VERSUS

MININATH NARAYAN HAPSE AND ANOTHER

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Advocate for Applicants : Mr. Abhijit P. Avhad.

Advocate for Respondent No.2 : Mr. M. M. Ambhore.

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CORAM : **V. K. JADHAV, J.**

DATE : 07th February, 2017.

P.C.:

. The learned counsel for Applicants submits that conditional order came to be passed by this Court on 14th January, 2016 and thereafter, new Advocate has taken over the matter after obtaining NOC from the earlier counsel representing the Appellants. However, in the first appeal, appearance of the earlier counsel remained on record and as such, compliance of the order dated 14th January, 2016 was not made. The learned counsel submits that in view of the same, the order of dismissal against Respondent No.1 is required to be set aside by recalling the order dated 14th January, 2016.

2 The learned counsel appearing for Respondent No.2 has no objection if this application is allowed.

3 In view of the above submissions and for the reasons stated in the application, civil application is allowed in terms of prayer clauses (B) and (C). Civil application is accordingly disposed of.

[V. K. JADHAV, J.]

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