

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

54 CIVIL APPLICATION NO. 3516 OF 2011
IN FA/710/1994

ABBA HASSAN ABDUL SHAKUR AND ANOTHER.
VERSUS
M.S.R.T.C.,THRO.DIVISIONAL CONTROLLER.

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Advocate for Applicants : Ms. A N Ansari.
Advocate for Respondents :Mr. D.S. Bagul - Absent

CORAM : K.K. SONAWANE, J.

DATED : 13th NOVEMBER, 2017.

Order :-

1. Heard learned counsel for applicants. None appears for respondent -MSRTC.
2. Perused the application and relevant documents produced on record. For the reasons stated in the application, there is no impediment to restore the appeal to its original stage, in the interest of justice. Hence, application stands allowed in terms of prayer clauses "B" and "C". The delay stands condoned. The order dated 23-11-2010 dismissing the appeal in default is hereby quashed and set aside. The registry to take requisite steps for further process and list the appeal for final hearing on merit as expeditiously as possible preferably in the week commencing from 8th January, 2018.

**[K. K. SONAWANE]
JUDGE**

MTK