

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

CIVIL APPLICATION NO. 16638 OF 2015
IN FA/951/2010

UTTAMRAO SHANKARRAO KHARAT AND ANOTHER
VERSUS
GULAB CHIKHALDAR RATNAMI AND ANOTHER

...
Advocate for Applicants : Mr. C. V. Bodkhe h/f. Mr. R. V. Gore
...

CORAM : K.K. SONAWANE, J.

DATED : 24TH NOVEMBER, 2017.

Order :-

Heard learned counsel for applicants. Perused the application. It appears that the applicants did not take steps against unserved respondents within stipulated period. Therefore, the appeal stands dismissed against unserved respondents.

2. In view of the reasons mentioned in the application, there is no impediment to allow the application. Accordingly, the civil application stands allowed in terms of prayer clause 'B' and 'C'. The dismissal order passed by this Court against unserved respondents dated 08-03-2013 is hereby recalled. The delay caused to file present application is hereby condoned. First Appeal No. 951 of 2010 be restored at it's original stage. The applicants to take requisite steps against unserved respondent within two weeks after restoration of the appeal at it's original stage, failure to which, present order passed in favour of applicants shall stand vacated automatically without further reference to this Court.

3. The civil application stands disposed of accordingly.

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