

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

CIVIL APPLICATION NO. 11265 OF 2017
IN
FIRST APPEAL NO. 120 OF 2017

Mallappa Basappa Tipne
(died) thr Lrs.
Dhanraj (died) Ashok & ors. ... Applicants

VERSUS

The State of Maharashtra & ors. ... Respondents

.....
Mr. S.V.Kurundkar, advocate for the applicants
Mr. B.V.Virdhe, A.G.P for respondent nos. 1 and 2
.....

CORAM : K.L.WADANE, J.

DATED : 1st, September, 2017

O R D E R :

This is an application for restoration of appeal against respondent no.3.

2. Heard learned counsel appearing for the applicants and the learned A.G.P. for respondent nos. 1 and 2.

3. From the contents of the application, it appears that the applicants were not aware about change in address and designation of respondent no.3, therefore, they could not take steps within

time, due to which delay has occurred in filing present application.

4. As the applicants were not aware about change in address and designation of respondent no.3, for the reasons stated in para 6 of the application, Civil Application is allowed in terms of prayer clause 'B'.

5. Civil Application is disposed.

(K.L.WADANE, J.)

dbm