

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.161 OF 2017
IN
SECOND APPEAL NO.641 OF 1994**

Shivappa Avyappa Badage
since deceased through Lrs.

Smt. Sushila Shivappa Badage & ors. ... Applicants / Appellants
V/s.

Mahadeo Shankar Donage & ors. ... Respondents

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Mr. Saurabh Oka i/b. Mr. Mandar Limaye for the applicants.

Ms. Vrishali Penkar i/b. Mr. Bhushan Walimbe for the respondent.

...

CORAM : S. C. GUPTE, J.

DATE : 3 FEBRUARY, 2017.

P.C. :

. This Civil Application is for restoration of the Second Appeal which is dismissed for default on 12 January, 2017. For the reasons stated in the Civil Application, the delay is condoned and the Civil Application is allowed in terms of prayer clauses (a).

2. The Civil Application is disposed of.

3. The Second Appeal is to come up for on hearing board in the week commencing from 6 March, 2017.

(S. C. GUPTE, J.)