

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1992 OF 2017
IN
WRIT PETITION NO.12606 OF 2015**

Chhaya Bhaskar Shinde and Ors. ... Applicants/Petitioners
versus

Gulabchand Gangabhushan Rathi and Ors. ... Respondent

Mr. Shrishail Sakhare, for Applicants/Org. Petitioners.
None for Respondent.

**CORAM: S.J. KATHAWALLA, J.
DATE: 9th OCTOBER, 2017**

P.C.:

1. Perused the Civil Application. The above Writ Petition was dismissed for default on 27-02-2017. Though, a notice was directed to be issued, the same was not issued to the Respondents. Hence, none was present for the Respondents when the Writ Petition was dismissed for default. For reasons set out in the Civil Application, the order dated 27-02-2017 is set aside and the Writ Petition is restored to file. The Civil Application is accordingly disposed off.

2. Place the Writ Petition for Admission on 9th November, 2017, high on board. A copy of this order along with Writ Petition shall be forthwith served on the Respondents by Speed Post A.D./Registered Post A.D. and/or by hand delivery.

(S.J.KATHAWALLA, J.)