

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**CIVIL APPLICATION (STAMP) NO.9498 OF 2017
IN
SECOND APPEAL NO.213 OF 1994**

Shri Vishwanath Hari Magdum

...Applicant/Appellant

vs.

Smt. Yashodabai w/o. Hari Kodalkar
since deceased by her heirs & Ors.

...Respondents
(Ori. Defendants)

....

Mr. Suresh M. Sabrad, for the Applicant.

None for the Respondents.

.....

CORAM : S.C. GUPTE, J.

DATED : 4 AUGUST 2017

P.C. :

. This Civil Application is for recall of a dismissal order passed on 12 January 2017 in the Second Appeal on account of want of prosecution. The Applicant/Appellant to file an affidavit of service within a period of two weeks from today. For the reasons stated in the Civil Application, particularly in paragraphs 4, 5 and 6 of the Civil Application, the order of dismissal dated 12 January 2017 is recalled and the Second Appeal is restored to file. The Second Appeal to come up for hearing in due course.

(S.C. GUPTE, J.)