

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 363 OF 2014
IN
CIVIL REVISION APPLICATION NO.74 OF 2007**

Shri Govind Shankar Hingmire

..Applicant

Vs.

M/s. Rameshchandra Subhashchandra Sarda & Ors

..Respondents

Mr. Akshay Kulkarni i/b Mr. A. M. Kulkarni for the Applicant

Mr. R. A. Naik i/b Mr. U. R. Mankapure for the Respondent No.5

CORAM : R. M. SAVANT, J.

DATE : 17th APRIL, 2017

P.C.

1 The above Civil Application has been filed for restoration of the above Civil Revision Application and also for condonation of delay of 5 years and 39 days in filing the above Civil Application. The above Civil Revision Application has been dismissed against the Respondent No.5 as the Respondent No.5 at the relevant time was not found at the address mentioned in the cause title of the above Civil Revision Application. The Learned Counsel appearing on behalf of the Applicant states that the Respondent No.5 has also filed a Civil Revision Application being No.51 of 2008 challenging the same judgment and order passed by the Lower Appellate Court. The said Civil Revision Application No.51 of 2008 is pending admission.

2 The Learned Counsel appearing for the Respondent including the Respondent No.5 states that he has no objection to the above Civil Application being allowed and the Civil Revision Application being restored to file. The Civil Application is accordingly allowed, resultantly the Civil Revision Application is restored to file against the Respondent No.5. The Learned Counsel Mr. R. A. Naik holding for Mr. Mankapure waives notice of the Civil Revision Application on behalf of the Respondent No.5. The Civil Application is disposed of.

[R.M.SAVANT, J]