

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

**CIVIL APPLICATION NO.1767 OF 2016
IN
WRIT PETITION NO.7352 OF 2011**

**Kallappa Anna Awade,
Ichalkaranji Janata Sahakari Bank Ltd.
Through its Assistant General Manager : Applicant/Petitioner.
versus
Divisional Joint Registrar,
Co-operative Societies, Kolhapur Division
Kolhapur and ors. : Respondents.**

**Mr. Prajakt M Arjunwadkar for the Applicant/Petitioner.
Mr. S D Rayrikar, AGP for the Respondent Nos.1 and 2.
Mr. Nagesh Y Chavan for the Respondent No.3.**

**CORAM : R. M. SAVANT, J.
DATE : 04th January 2017**

P.C.

1 The above Civil Application has been filed for restoration of the above Writ Petition which has stood dismissed for non-prosecution on account of the conditional order dated 18/11/2015 passed by a learned Single Judge of this Court. The non-compliance is in respect of the service being effected on the Respondent Nos. 4A to 4C who are the heirs of the Respondent No.4. The Applicant also prays for condonation of delay of about 180 days in filing the above Civil Application. The reasons for the delay are mentioned in the above Civil Application. It seems that other companion matters have already been restored to file.

2 The learned AGP appearing for the Respondent Nos.1 and 2 and the learned counsel appearing for the Respondent No.3 submit to the orders of the Court.

3 Hence accepting the reasons mentioned in the above Civil Application, the same is allowed. Resultantly the above Writ Petition is restored to file.

4 Issue notice to the Respondent Nos.4A to 4C in the Writ Petition, returnable on 01/02/2017. In addition to service of notice through Court, the advocate for the Applicant/Petitioner shall serve a private notice by Registered Post A.D. and/or by Courier service and/or by hand delivery on the Respondents and shall file affidavit of service before the returnable date. Hamdast permitted.

5 After the returnable date, the above Writ Petition to be listed along with the companion Writ Petition Nos.6966 of 2014, 6967 of 2014, 6968 of 2014, 6970 of 2014 and 6971 of 2014 for admission. The above Civil Application is accordingly disposed of.

[R.M.SAVANT, J]