

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1140 OF 2017
IN
SECOND APPEAL NO. 172 OF 2016

Shri. Shankar Krishna Chaudhary and others ... Applicants

Versus

Shri.Vitthal Ganpat Chaudhary and others ... Respondents

Mr.Manoj Badgujar i/b. Abhijit Kulkarni for the Applicants and Appellants.
Mr.Swapnil Satav i/b. Rahul Kate for the Respondent Nos.1 and 2.

CORAM : S.J. KATHAWALLA, J.

DATED : 2nd AUGUST, 2017

P.C.:

1. Perused the above Civil Application. For the reasons set out therein, the Order dated 15.06.2017 is set aside. The above Second Appeal and Civil Application No.312 of 2016 are restored to file.
2. The Advocate for the Applicants shall serve a copy of the Second Appeal alongwith a copy of this Order on the Respondents who are not present before this Court by Speed Post/Registered Post A.D. and/or hand-delivery and file an Affidavit proving service on the adjourned date.
3. Advocate Mr.Swapnil Satav appearing for the Respondent Nos.1 and 2 waives service of the Second Appeal.
4. Place the above Second Appeal for admission on 22.08.2017.

(S.J.KATHAWALLA, J.)