

Sarnobat

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

**CIVIL APPLICATION NO. 1824 OF 2014
IN
WRIT PETITION NO. 9498 OF 2011
AND
WRIT PETITION NO. 9498 OF 2011**

Shri Vinayak Vilas Shinde, & Ors. .. Petitioners
Vs.
Shri Keru Ganpat Marne, & Ors. .. Respondents

Ms. Aditi Naikore I/b P. J. Thorat, Advocate for the Petitioners.
Ms. Sayali Bhaidkar, Advocate for the Respondent No. 1.

CORAM : M. S. SANKLECHA, J.
DATE : 16th AUGUST, 2017.

P. C. :

1. This application is taken out for setting aside the order dated 16th January, 2016 passed by the Registrar (Judicial-1). By the impugned order dated 16th January, 2014 the petitioners were granted six weeks time to serve respondents no. 4 to 8, failing which, writ petition would stand dismissed against them.
2. For the reasons set out in the application, I am satisfied that the petition came to be dismissed against respondent nos. 4 to 10 for no fault on the part of the petitioners. Accordingly, the civil application is allowed in terms prayer clause (a) and (b). The petitioners shall serve the petition upon respondent nos. 4 to 10 within two weeks from today.

3. This writ petition is of the year 2011. This court by an order dated 14th December, 2011 had issued notice to respondents and granted ad-interim stay to the proceedings before the trial court. The petition is kept for consideration on 4th September, 2017 by that time the petition will be served upon respondent nos. 4 to 10.

4. Hamdast is permitted. The petitioners should also serve upon all the respondents by private notice by the accepted mode of service and file affidavit of service by next date i.e. 4th September, 2017. Respondent no. 1 waives service.

5. As the petition is of the year 2011, it is kept for admission on 4th September, 2017.

[M. S. SANKLECHA, J.]