

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1671 OF 2017
IN
WRIT PETITION NO.2146 OF 2016

Babanrao A. Jadhav
& Another

.. Applicants/
(Original Petitioners)

v/s.

Saw. Ashokrao Bankar Nagir Sah.
Pat Sanstha Ltd., & Others

.. Respondents.

Mr. Kunal Kumbhat, for the Applicant/ Original Petitioners.
Ms. Rukhmini Khairnar i/b. P.N. Joshi, for Respondent No.1.

CORAM: M.S.SANKLECHA, J.
DATE : 29th AUGUST, 2017.

P.C:-

This Civil Application has been taken out to set aside the order dated 27th March, 2017 passed by the Registrar (Judl.).

2 By the impugned order dated 27th March, 2017, Petitioner was granted two weeks time i.e. up to 11th April, 2017 to supply copies of the Petition to enable/ effect service upon the Respondents, by the Registry. The Petitioners failed to do the same, resulting in dismissal of the Petition on account of the self-operating order dated 27th March, 2017.

3 Mr. Kumbhat, learned Counsel appearing for the Petitioners state that as directed by this Court on 18th February, 2016 and 1st March,

2016, Petitioner had effected service upon Respondent and also filed affidavit of service. The non-furnishing of copies of the Petition to the Registry remained, due to over sight of the Advocate's Office.

4 Ms. Khairnar, learned Counsel appearing for Respondent No.1 has no objection to the restoration of the Petition.

5 Accordingly, this Civil Application is allowed in terms of prayer clauses (a), (b) and (c).

6 Petitioner to supply the copies of the Petition to the Registry within two weeks from today.

(M.S.SANKLECHA,J.)