

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 273 OF 2017
IN
CIVIL REVISION APPLICATION NO. 20 OF 2010

Thane District Central
Cooperative Bank Ltd. and anr. .. Applicants

vs.
Rohan P. Abhyankar and anr. .. Respondents

C.P. Deogirkar for the Applicants.

CORAM : M. S. SONAK, J.
DATE : 18 SEPTEMBER 2017.

P.C. :-

1] Learned counsel for the applicants points out that respondent No.2 had already been served and the advocate has also appeared on behalf of respondent No.2.

2] Perusal of the order dated 25th February 2010 does indicate that Mr. B.M. Ganu had filed appearance for respondent Nos.1 and 2.

3] In this view of the matter, there does not appear to be any justification on the part of the Registry to make conditional order. Possibly the conditional order was made because no fresh service was effected for service of Rule. In any case, sufficient cause is

shown, hence, the delay is condoned. The conditional order dated 4th February 2013 is recalled. The Civil Revision Application is restored as against respondent No.2. The applicants, however, to take fresh steps to serve respondent No.2 within a period of four weeks from today. If no steps are taken, then the civil revision application shall stand dismissed as against respondent No.2 without any further reference to this Court.

4] The civil application is disposed of.

(M. S. SONAK, J.)