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

**CIVIL APPLICATION NO.91 OF 2017
IN
CIVIL APPLICATION NO.1737 OF 2015
IN
SECOND APPEAL (ST) NO.28020 OF 2015**

Rmchandra Igave and ors ... Applicants.

V/s.

The State of Maharashtra and ors ... Respondents

Mr. Nilesh Patil, for the applicants.

Mr. Dilip Bodake, for respondent Nos. 4A to 4E.

Mr. A.R. Patil, AGP for respondent Nos. 1 to 3.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 31st JULY, 2018.

P.C. :

1] This application is filed for restoration of Civil Application No.1737 of 2015, which was filed for condonation of delay in preferring the Second Appeal. There is delay of 79 days in filing this application. Also office objection was that appellant Nos. 4, 5, 6, 8, 9A, 12 are dead and appellant Nos. 11 and 14 are missing, despite that appeal is filed by the appellants and stay is obtained.

2] In view thereof, for non compliance of these office objections, Civil Application No.1737 of 2015, came to be dismissed , by order of this Court dated 16th April, 2016.

3] Learned counsel for the applicant submits that he will remove the office objections within a period of four weeks. Subject to applicant's removing office objections within four weeks, this application is allowed. Civil Application No.1737 of 2015 is restored to its original file.

4] On failure of the appellant to comply with this order, this application will stand automatically dismissed without further reference to this Court.

[DR.SHALINI PHANSALKAR-JOSHI, J.]