

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
 CIVIL APPELLATE JURISDICTION
 CIVIL APPLICATION NO.169 OF 2018
 WITH
 CIVIL APPLICATION NO.201 OF 2016
 IN
 CIVIL REVISION APPLICATION (ST.) NO.3399 OF 2013

(Ramdas Krishnarao Tulshibagawale Vs. Appasaheb Ganesh Kale (decd) through LR's)

Office Notes, Office Memoranda of Coram, appearances, Court's orders, or directions, and Registrar's Orders	Court's or Judge's orders
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Mr. Pramod J. Pawar for Applicant.

CORAM : R. G. KETKAR, J.
DATE : 28TH MARCH, 2018

P.C.:

Not on Board. At the request of Mr. Pawar, learned Counsel for the applicant, taken up in the production Board.

2. Leave to amend prayer clause (a) so as to challenge order dated 06.12.2017 is granted. Amendment shall be carried out forthwith.

3. By this Application, applicant has prayed for recalling the order dated 06.12.2017 passed by the Registrar (Judicial-II) as also for restoration of Civil Application (St.) No.17619 of 2013 after condoning the delay of 37 days.

4. By order dated 06.12.2017, applicant was given three weeks time to take steps against unserved respondents No.ii(d) and iii(a), failing which C.A. was to stand dismissed against them without further reference to the Court.

5. In paragraph 4 of the Application, applicant stated that on behalf of the respondent No.1 that is iii(a), respondent No.ii(b) accepted the service of Civil Application No.201 of 2016. In so far as the respondent No.ii(d) is concerned, her whereabouts are not known and therefore, the applicant prays for issuing public notice in a newspaper, which is widely circulated in Pune City.

6. In view thereof, Civil Application is allowed in terms of prayer clause (a-1), (b), (c) and (d) with no order as to costs. Applicant is permitted to serve respondent No.ii(d)-Sheetal Hele by issuing public notice in newspaper 'Prabhat', which is widely circulated in the City of Pune. Notice is made returnable on 06.06.2018.

(R. G. KETKAR, J.)

Minal Parab