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

CIVIL APPLICATION NO. 1131 OF 2011

in

SECOND APPEAL NO. 63 OF 1996

Smt. Yesubai Vithal Chavan (since deceased)
through legal heirs & Ors. ...Applicants/Appellants.

V/s.

1A. Smt. Shakuntala Anant Parab and Ors. ... Respondents.

Mr. Madhav Jamdar for the Applicants/Appellants.

Mr. Harshwardhan Khambete i/b. Bhawe & Co. for Respondent 2.

Mr. Madhu Hiraskar i/b. Chitnis Vaithy & Co. for Respondents 1a & 1b.

CORAM : N.M. Jamdar, J.

DATE : 11 January, 2018.

P.C. :-

Heard the learned Counsel for the parties. A conditional order was passed on 18 July 2009 to remove the office objections. It appears that the Applicant could not remove the office objections and the Appeal was dismissed. The Civil Application was filed on 25 July 2011. Sufficient reason is set out as to why there was a delay and default.

2. Considering the rival contentions and the facts that the reply is not filed, the Civil Application is allowed in terms of prayer clauses (a) and (b). As regard the restoration of the interim relief, liberty to the Applicant to take out a separate application.

(N.M. Jamdar, J.)