

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

**CIVIL APPLICATION NO. 928 OF 2018
IN
SECOND APPEAL NO. 126 OF 2013**

Suresh Krishna Ingale & Ors.	...	Applicants
V/s.		
Vitthal Genu Ingale & Ors.	...	Respondents

- Mr.Swaroop Karade i/b. Mr.Surel S. Shah for the Applicants.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 2nd AUGUST, 2018.

P.C. :

1] This Civil Application is filed for restoration of the Second Appeal, which came to be abated against Respondent No.1 as per the order of the Registrar (Judicial-II).

2] It is submitted that the Appeal is already admitted on 1st July, 2015, at that time, Respondent No.2 was represented by his counsel and therefore, there was no question of Appeal being dismissed against Respondent No.2 by the Court's order dated 23/06/2014. As regards Respondent No.1, it is submitted that, the Applicant has filed the application, bearing Civil Application No.929 of 2018, to bring his legal heirs on record by condoning the delay.

3] In view thereof, this Civil Application is allowed. The Second Appeal is restored to its original file.

[DR.SHALINI PHANSALKAR-JOSHI, J.]