

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 2033 OF 2017
IN
WRIT PETITION NO. 8615 OF 2014

Y. P. Miranda

..... Applicant

IN THE MATTER BETWEEN

M.M.Miranda & Anr.

..... Petitioners

VERSUS

**Miranda Apartments Co-operative
Housing Society Ltd. & Ors.**

..... Respondents

Mr.Denzil D'Mello for the Applicant.

Mr.Saurabh S. Kurade, i/b. Mr.Vijay D.Patil for the Respondent no.1.

Ms.Geeta Sonawane for the Respondent nos. 2 and 3.

CORAM : R.D. DHANUKA, J.

DATE : 5th JULY, 2018

P.C.

By this civil application, the applicant prays that the order dated 25th April, 2017 passed by the learned Registrar (Judicial-I) be set aside.

2. Mr.D'Mello, learned counsel for the applicant states that the respondents were already served in the month of September 2014 itself. However, since the applicant did not notice the matter on board before the learned Registrar (Judicial-I), this fact could not be brought to the notice of the learned Registrar (Judicial-I). Statement is accepted.

3. For the reasons recorded in the civil application, order dated 25th April, 2017 passed by the learned Registrar (Judicial-I) is set aside. Writ Petition No. 8615 of 2014 is restored to file.

4. A fresh service of copies of the writ petition on the respondents are also dispensed with.

5. Delay in filing civil application is condoned.

6. Civil application is made absolute in the aforesaid terms. No order as to costs.

[R.D. DHANUKA, J.]