

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

934 CIVIL APPLICATION NO.4108 OF 2018
IN SA/652/2013

RAMDAS GOVIND BOINWAD
VERSUS
VITTHAL PANDURANG BOINWAD AND OTHERS

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Mr.V.D. Gunale, Advocate for the applicant.
Mr.D.A. Mane, Advocate for respondents.

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CORAM: V.L. ACHLIYA,J.
DATE : 18.10.2019

ORAL ORDER:

This application is filed for restoration of Second Appeal dismissed on account of non-compliance of order dated 27th November, 2017 i.e. to bring L.Rs. of deceased respondent no.4 on record within time.

2. Heard learned counsel for the applicant and respondents.

3. On due consideration of submissions advanced and consequences to follow, I am of the view, the application deserves to be allowed. Otherwise also the appeal could not have been dismissed as besides respondent

no.4 other respondents are on record. Hence, the application is allowed in terms of prayer clauses "B" and "C". The appeal is restored. Necessary steps to bring L.Rs. of respondent no.4 on record be taken.

4. The application is disposed of in above terms.

[V.L. ACHLIYA]
JUDGE

SGA