

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

965 CIVIL APPLICATION NO.7380 OF 2019
IN SA/845/2018

ACHUT RAMRAO KASALE AND ANOTHER
VERSUS
VAIBHAVI ACHUT KASALE AND OTHERS

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Advocate for Applicants : Mr.V.G.Kodale,
Advocate holding for Mr.V.D.Gunale
Advocate for Respondent no.4 :
Mr.G.L.Deshpande

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CORAM : V.L.ACHLIYA, J.
DATE : 27.09.2019

PER COURT:

1] This Application is taken out for recall of order dated 27.03.2019 passed by this Court to dismiss the Appeal in default with consequential request to restore the Appeal to its original position.

2] Heard learned counsel for the applicants and respondents. Perused the order dated 27.03.2019 passed by this Court [Coram : Smt.Vibha Kankanwadi, J.].

3] I am of the view that the reasons put forth for absence when the matter was called out not appears to be genuine and convincing. However, in the larger interest

of justice, I am inclined to allow the present Application subject to cost of Rs.10,000/- to be payable by the applicants to the respondents. The cost be deposited within four weeks from the date of this order.

4] In case cost is deposited within four weeks, Appeal shall stand restored and place the Appeal for admission on 4th November, 2019. Failure to pay cost, the order of restoration stands recalled.

[V.L.ACHLIYA]
JUDGE

DDC