

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

908 CIVIL APPLICATION NO.8931 OF 2019
IN WP/8895/2016

HINA SHAHIN CO-OPERATIVE URBAN BANK LTD., THROUGH ITS
LIQUIDATOR
VERSUS
MOHAMMAD NADIM MOHAMMAD KALIM

...
Advocate for Applicant : Smt. Jayshri P. Reddy

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CORAM : P.R. BORA, J.
Date: August 01, 2019

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PER COURT :-

1 The learned counsel for the applicant submitted that conditional order was passed by this Court on 07.02.2018 to take necessary steps to serve the unserved respondent and since the steps were not taken within the stipulated period, the petition stood dismissed.

2 The learned counsel submits that infact the respondent sole resides at the address given in the Writ Petition and in such circumstances, the summons were liable to be reissued on the same address. However, since necessary steps were not taken by making request for re-issuance of summons, the petition stood dismissed.

3 Having regard to the submissions so made, the application is allowed. Delay caused in filing the application is condoned. The order dated 07.02.2018 passed by this Court stands recalled. Writ Petition No.8895 of 2016 stands restored to its original file. Issue fresh notice to the respondent on the address given in the petition, returnable on 30.08.2019.

(P.R. BORA, J.)