

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

CIVIL APPLICATION NO. 1606 OF 2018

IN

SECOND APPEAL NO. 92 OF 1995

The Chairman Lingeshwar Vidhyalaya
Committee, Tulsuli Turf-Mangaon,
Taluka Kudal, Dist. Sindhudurg. ... Applicant

Vs

Shri. Narayan Ramchandra Warang & Ors. ... Respondents

Mr. Vikram N. Walawalkar i/b. Amey C. Sawant, Advocate for
the Applicant.

CORAM : SANDEEP K. SHINDE J.

DATE : August 6th, 2019

P.C. :

1. The applicant is seeking restoration of Second Appeal No. 92 of 1995, which was dismissed for non appearance. On 15.04.2019 notices were issued to the respondents. There are about twenty four respondents to whom the petitioner has served and has filed proof of service by filling affidavit of service dated 30.07.2019 along with Track Consignment. Affidavit of service

is taken on record and marked as 'X-1' for identification. This report shows the dates on which the notices were delivered to the respondents. Second Appeal has been admitted by this Court and pending for the final disposal since 1995.

2. That for the reasons stated in the application, the order dated 02.11.2017 is recalled and the appeal is restored to file.
3. Office is directed to list this appeal for final hearing as per its turn.
4. Learned counsel for the applicant is directed to serve the copy of this order to the respondents and file affidavit to that effect within five weeks from today.
5. Application is allowed in the aforesaid terms and disposed of accordingly.

(SANDEEP K. SHINDE, J.)