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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION (ST) NO.267 OF 2019
IN
FIRST APPEAL NO.423 OF 2003**

Mr.Bramhadeo Ramlakhan Upadhyay ... Applicant.

In the matter between

Nirmala Ramdas Pandey and ors ... Appellant.

V/s.

Kanhaiyyalal P. Shah and ors ... Respondents

Mr. Ansari Asgar Kalim, for the Applicant.

Mr. S. N. Vaishnav i/by Vipul Shukla, for respondent

Nos. 1 to 4, 7, 8, 11.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 15th JANUARY, 2019.

P.C. :

1] Heard learned counsel for the applicant and learned counsel for the respondent Nos. 1 to 4, 7, 8, and 11.

2] This application is taken out for restoration of the appeal which is already dismissed for want of prosecution, by order dated 26.11.2018. This application is filed by intervener and not at all by the appellant. Hence, at his instance, the appeal cannot be restored to the file. Therefore, application stands dismissed.

[DR.SHALINI PHANSALKAR-JOSHI, J.]