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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.507 OF 2019
WITH
CIVIL APPLICATION NO.508 OF 2019
IN
SECOND APPEAL (ST) NO.26505 OF 2014

Balkrishna Anna @ Anaji Patade
(Since Deceased Through his
Heirs)

A) Smt. Sunanda B. Patade
& Ors.

... Applicants

Vs

Kashiram Anna @ Annaji Patade
& Ors.

... Respondents

...

Mr. Sagar Joshi for the Applicants.

CORAM : SANDEEP K. SHINDE J.
DATE : 28 MARCH, 2019

P.C. :

Not on board. Taken on Board.

In view of the self-operative order passed by the Registrar (Judl-II) since the appropriate steps were not taken, the appeal stood dismissed of which restoration is sought.

2 Another prayer is for condonation of delay caused in

2019.odt

preferring these applications.

3 In the subject Second Appeal, another order was passed on 2nd February, 2018 granting four weeks' time to take appropriate steps. It appears order of the Registrar (Judl-II) dated 1st February, 2017 was not brought to the notice of this Court when the order dated 2nd February, 2018 was passed in Civil Application No.500 of 2015.

4 Be that as it may, the applicants are seeking restoration of the appeal. He also seeks leave to delete Respondent Nos.4 to 39.

5 That for the reasons stated in the applications, delay caused in preferring both the applications is condoned and the order dated 1st February, 2017 and the order dated 2nd February, 2018 are recalled. The Second Appeal is restored to the file.

6 Applicants are directed to take steps to serve Respondent Nos.2A to 2E within two weeks from today. Consequential amendment to be carried out within two weeks.

7 Civil Application Nos.507 and 508 of 2019 are disposed of accordingly.

(SANDEEP K. SHINDE, J.)