

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.403 OF 2019

IN

REJECTED CASE NO.1864 OF 2018

IN

CIVIL REVISION APPLICATION (ST.) NO.32756 OF 2017

**MEGHA MAHALINGAYYA HUNSALMATH)
ALIAS MEGHA PRAKASH SHAH AND ANR.)...APPLICANTS**

V/s.

SAU.SMITA SANTOSH SHAH AND ANR.)...RESPONDENTS

Shri.Vivek Salunke, Advocate for the Applicant.

CORAM : A. M. BADAR, J.

DATE : 4th NOVEMBER 2019

PC. :

1 This is an application for restoration of civil revision application which was dismissed for want of prosecution. There is no need to issue notice to respondents as the civil revision application was dismissed because of non-effecting service on the respondents.

2 Heard the learned counsel appearing for the applicant/petitioner. He submits that because of non-availability of correct addresses of the respondents, they could not be served within the prescribed time and now the applicant/petitioner is having correct addresses of the respondents and he would take all necessary steps to serve the respondents. The delay, according to the learned counsel for the applicant, was unintentional and bonafide.

3 Considering the averments made in the application and submissions advanced at bar, the application is allowed.

ORDER

- i) The order dismissing civil revision application for want of prosecution is set aside.
- ii) The civil revision application is restored to file by condoning the delay.
- iii) The application is disposed off accordingly.

(A. M. BADAR, J.)