

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

**CIVIL APPLICATION NO. 975 OF 2018
WITH
CIVIL APPLICATION NO. 2255 OF 2019
IN
FIRST APPEAL NO. 171 OF 2017**

Shri Nitin Kailas Shelar & Ors. Applicants
V/s.
Mr. Hitendra B. Gadkari & Ors. Respondents
.....

Mr. R. Lad, Advocate for the Applicants.
Ms. Minal J. Chandnani, Advocate for the Respondent No.2.
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CORAM : K.K.TATED, J.
DATED : 11th October, 2019

P.C.

1. Heard learned counsel for the parties.
2. By this Civil Application, applicant is seeking restoration of First Appeal against Respondent Nos. 1 to 3 which stands dismissed in view of the conditional order dated 8th June, 2017 passed by Learned Registrar (Judicial-II).
3. Considering the submissions made by the learned counsel for the applicant and averments made in Civil Application, I satisfy that applicant has made out a case for allowing both Civil Applications. Hence, following order is passed.

ORDER

- a) First Appeal Stamp No. 31392 of 2012 is restored against Respondent nos. 1 to 3.
- b) Learned Counsel Ms. Minal J. Chandnani appearing on behalf of Respondent no.2 waives service in First Appeal No. 171 of 2017.

(K.K.TATED, J.)