

DDR

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

**CIVIL APPLICATION NO. 1744 OF 2019
IN
WRIT PETITION NO. 5615 OF 2013**

Bagaria Builders and Developers ..Applicant
vs.
Manohar Ramchandra Thackery & ors. ..Respondents

....

Shri Subhash Jha a/w. Sanjana Pardeshi I/b. Law Global
Advocates for applicant.
None for respondents.

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CORAM : M.S.KARNIK, J.

DATE : 26th JULY, 2019

P.C. :

Heard learned Counsel for the applicant.

2. According to learned counsel for applicant- original petitioner, he had taken steps to serve the respondents. He invited my attention to page 13 of the paper-book of the Civil Application to show that notices were issued to the respondents. However, all these facts could not be brought to the notice of this Court. Learned Counsel stated that all this happened due to some communication gap. He states that he would immediately

take fresh steps again to serve respondent Nos. 3, 4(1) to 4(4), 5 to 10 in terms of the order dated 15/4/2014.

3. For the reasons mentioned in the application, the order dated 26/6/2019 passed by this Court is recalled. Learned Counsel appearing on behalf of the applicant - original petitioner undertakes to take steps to serve respondent Nos. 3, 4(1) to 4(4), 5 to 10 within a period of 4 weeks from today.

4. The application is allowed in terms of prayer clause (a) subject to the applicant taking steps to serve the unserved respondents within a period of 4 weeks.

5. The application is disposed of.

6. List the Writ Petition as per CMIS date.

(M.S.KARNIK, J.)