

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

**CIVIL APPLICATION NO. 1055 OF 2019
IN
SECOND APPEL NO. 328 OF 2014**

Shri. Alamkhan Alias Kutub-Alam & Ors. ... Applicants

V/s.

Shri. Sayyad Gaus Karim & Ors. ... Respondents

Mr. Jayesh M. Joshi, for the Applicants.
None for the Respondents.

**CORAM : M. S. KARNIK, J.
DATE : 2nd AUGUST, 2019.**

P.C.:-

1] This is an application for restoration of appeal against respondent Nos.1 to 5 and 7. Further, it is prayed for condonation of delay of 352 days in filing the Civil Application.

2] For the Reasons mentioned in the application, the delay in filing application is condoned.

3] Further for the reasons mentioned in the Civil Application the order passed by the Registrar Judicial-II dated 6th August, 2018 is set-aside.

4] Second Appeal stands restored against the unserved the Respondent Nos. 1 to 5 and 7.

5] The learned counsel for the applicants to take steps within a period of four weeks from today to serve the unserved Respondent Nos. 1 to 5 and 7 failing which the second appeal shall be dismissed against the unserved Respondent Nos. 1 to 5 and 7.

6] Civil Application is allowed.

(M.S.KARNIK, J.)