

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

**CIVIL APPLICATION NO. 120 OF 2019
IN
CIVIL APPLICATION NO. 1417 OF 2017
IN
SECOND APPEAL NO. 147 OF 1993**

Hirabai Namdev Thomre & Ors.**..... Applicants****VERSUS**

**Baburao Laxman Thakare,
since deceased through LRs
Baburao B. Thakare & Ors.**

..... Respondents

Mr.Tushar N.Sonawane for the Applicants.

Mr.Sachin D. Kadam for the Respondent nos. 1 and 2.

CORAM : R.D. DHANUKA, J.

DATE : 23rd SEPTEMBER, 2019

P.C.

The respondent nos. 1 and 2 who are the contesting parties have been served. No affidavit in reply is filed.

2. By this civil application, the applicants seek condonation of delay of 80 days in filing civil application, setting aside the order dated 8th June, 2018 passed by the learned Registrar (Judicial-II) and for restoration of the Civil Application No.1417 of 2017.

3. Learned counsel appearing for the applicants states that the paper book has been prepared and has been served upon the contesting respondents and undertakes to file the same in the office within one week from today. Statement is accepted.

4. The order dated 8th June, 2018 passed by the learned Registrar (Judicial-II) is set aside. Civil Application No.1417 of 2017 is restored to file.

5. Civil application is allowed in terms of prayer clauses (b) and (c). No order as to costs.

[R.D.DHANUKA, J.]