

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CIVIL APPLICATION (CAO) NO.62 OF 2019

IN

**MISC. CIVIL APPLICATION (ST.) NO.26681 OF 2018 IN SECOND APPEAL NO.416
OF 2004**

(Smt. Kamlabai w/o Hemraj Chulpar ..vs.. Bakaram s/o Asaram Naik and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri V.R. Borkar, Counsel for the applicant,
Shri R.K. Thakkar, Counsel for non-applicant No.1.

CORAM : ROHIT B. DEO, J.

DATED : 13-03-2019

For reasons stated in the application, particularly in paragraphs 1 and 2, the delay in filing application for restoration of the second appeal is condoned.

The application is disposed of accordingly.

Misc. Civil Application (Stamp) No.26681/2018

For reasons recorded while allowing Civil Application (CAO) 62/2019, the application is allowed.

The appeal be restored.

Second Appeal No.416/2004

The learned Counsel for the appellant has filed a praecipe stating that respondent 3 is dead and his legal heirs are on record as respondents 1 and 2. The learned Counsel for the appellant seeks leave to delete respondent 3 from the array of parties. The appellant is permitted to delete respondent 3 at her risk.

2. List the appeal on the hearing parties board.

JUDGE

adgokar