

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

953 CIVIL APPLICATION NO.1774 OF 2020
IN R.C.NO.97 OF 2020 IN SECOND APPEAL
STAMP NO.14564 OF 2019

KASHIBAI DATTA WAGHMARE & OTHERS
VERSUS
SARUBAI RAOSAHEB KATARE
DIED LRS. DWARKABAI & OTHERS

Ms.Jaishree Nawale, ... Advocate for the
applicants.

...
CORAM : V.L.ACHLIYA,J.
DATE : 06.03.2020

P.C.

1] The applicants have moved this application for recalling / setting aside the order dated 29.11.2019 and further order passed in consequences to the said order.

2] Heard the learned counsel for the applicants.

3] In view of fault on the part of the applicants to supply copies within stipulated period, appeal has been dismissed for non compliance of the order.

4] On due consideration of the submissions advanced and further fault on the part of the advocate, the litigants should not suffer, I am inclined to partly allow the application. Accordingly, the application is partly allowed. The order dated 29.11.2019 and consequences order passed thereto of dismissal of appeal is recalled to the extent of the applicants.

5] Appeal/Application be restored.

6] Civil application is disposed of in above terms.

[V.L.ACHLIYA]
JUDGE

DDC