

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

Civil Application [CAF] No.3522 of 2019
in
First Appeal No.1362 of 2019

Ishwar s/o Manikrao Mane & others

vs.

Mr. Mohamed Shahid Khan s/o Abdul Aziz & another

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*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

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Court's or Judge's Orders

*Shri Asghar Hussain, Advocate for the Applicants-Appellants.
Mrs. Mrunal Naik, Advocate for Respondent No.2.*

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 16th FEBRUARY, 2021.

The applicants-appellants have filed this application for setting aside order, dated 23/04/2019, passed by the Registrar (Judicial) dismissing the appeal against respondent No.1 for want of service. It is seen that subsequently respondent No.1 was served by paper publication. This fact was considered by this Court in its order dated 16/07/2019 while condoning the delay.

However, the Office has raised a technical objection that order dated 23/04/2019 has not been specifically recalled. This being the only technical objection raised by the Office, the order dated 23/04/2019 is recalled. The appeal is restored against respondent No.1.

The application stands disposed of accordingly.

JUDGE