

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

937 CIVIL APPLICATION NO.4988 OF 2022
IN FA/4215/2016

MIDC THROUGH ITS AREA MANAGER, JALGAON
VERSUS
JAGANNATH DODHU ZOPE DECEASED THR. LRS
KESARBAI AND OTHERS

...
Advocate for Applicant : Mr. G. S. Khaire, h/f Mr. . S. Dande.
Advocate for Respondent Nos. 2 to 5: Mr. S. A. Mulla, h/f Mr. U. V Yadav.
...

CORAM : **SHRIKANT D. KULKARNI, J.**

DATE : 01st April, 2022.

P.C.:

. Heard Mr. Khaire, holding for Mr. S. S. Dande, learned counsel for applicant/acquiring body and Mr. Mulla, holding for Mr. U. V. Yadav, learned counsel for respondent Nos.2 to 5.

2 Perused the order passed by the Registrar (Judicial) of this Court dated 11th June, 2019 whereby appeal came to be dismissed against respondent Nos.2 to 4 for want of steps.

3 In the interest of justice, it is necessary to quash and set aside the order passed by the Registrar (Judicial) of this Court dated 11th June, 2019 so as to decide the appeal on its own merits. The application needs to be allowed. Hence, the following order is passed:

ORDER

- I. The application is hereby allowed in terms of prayer clauses (A) to (C).
- II. Issue notice to respondent Nos.2 to 5.
- III. Mr. Mulla, holding for Mr. U. V. Yadav, learned counsel waives notice for respondent Nos.2 to 5. Accordingly, appearance is marked for respondent Nos.2 to 5. Mr.Mulla, learned counsel also pointed out that VP has been already filed.
- IV. Registry to take note.
- V. The application is accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]

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