

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

**CIVIL APPLICATION NO. 213 OF 2020
IN
FIRST APPEAL NO. 1236 OF 1996**

Smt. Sulabai Shamarao Navasare
and ors.

.... Applicants

v/s.

Balkrishna Namdeo Jadhav (deleted)
Ramchandra Tukaram More and anr.

.... Respondents

Mr. Pradeep S. Gole for the Applicants.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 04th AUGUST, 2022.

P. C. :-

. By this Application, the Applicants have sought to condone the delay and to restore the Appeal against Respondent No.2 which was dismissed for non compliance of conditional order dated 22/06/2017.

2. By order dated 22/06/2017 passed by Registrar (Judicial-II), the Appellant was required to take steps to serve Respondent No.2 within four weeks failing which the Appellants were put to notice that the Appeal would stand dismissed against Respondent No.2. Failure to comply with the order resulted in dismissal of the Appeal against Respondent No.2.

3. Learned counsel for the Appellants states that steps to serve Respondent No.2 will be taken within a period of three weeks. In the light of said statement and in view of the reasons stated in the Application, the delay is condoned. Dismissal order as against Respondent No.2 is recalled.

4. Civil Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)