

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

**CIVIL APPLICATION NO. 243 OF 2019
IN
SECOND APPEAL NO. 170 OF 2017**

Sou. Gokulbai Dhondiram Sarak (D/H)
1A) Balasaheb Dhondiram Sarak and Ors. ...Applicants
vs.
Arjun Janardhan Bhosekar (d/h)
1A) Aparna Arun Bhosekar and Ors. ...Respondents

Mr. Dilip B. Shinde - Advocate for the Applicants

CORAM : S. M. MODAK, J.

DATE : 23rd SEPTEMBER, 2022

P. C. :-

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1. Heard learned Advocate for the Applicants.
2. This Court as per order dated 15/06/2017 was pleased to dismiss the Second Appeal as well as Civil Application for default.
3. There is a delay of 16 days in filing restoration application.
4. For the reasons stated in the application, the application is allowed in terms of prayer clauses 'a' and 'b'.

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5. The suit of the plaintiff was dismissed on merits whereas the appeal was allowed and decree is reversed. That is why the appeal is filed by the

defendants.

6. Issue notice before admission to the Respondents, returnable on 05/12/2022.

7. Stand over to 05/12/2022.

[S. M. MODAK, J.]