

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

MISC. CIVIL APPLICATION [RESTORATION] NO.78 OF 2020

IN

SECOND APPEAL NO.229 OF 2010 [D]

[Manohar s/o Sitaramji Mungle and others .vs. Baliram s/o Sakharam Rewatkar and one]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Dr. A.H. Jamal, Advocate for the applicants.

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CORAM : SMT. M.S. JAWALKAR, J.

DATE : 04/08/2022.

It appears that Second Appeal filed by the appellants came to be dismissed in-default vide order dated 29.08.2019. It was directed by this Court that at the time of application for restoration is moved, the Registry shall ensure that the direction to pay costs is complied with. As per directions Rs.3,000/- is paid by the appellants on 11.09.2019 as per endorsement of the office.

For the reasons stated in the application, restoration application is allowed. Registry is directed to register Second Appeal on its original number.

Civil Application (CAO) No.579/2022

Present application is filed by the appellants to delete the name of respondent no.1, who is reported

to be dead. The death certificate is filed along with application. There is no question of bringing his legal representative on record being Trust matter. Application is allowed. Appellants are permitted to delete the name of respondent no.1. Necessary amendment to be carried out within one week.

Civil Application is allowed and disposed of.

[Smt. M.S. Jawalkar, J.]

Gulande