

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**909 CIVIL APPLICATION NO.4396 OF 2021
IN FA/3920/2019**

**SANDHYA PRAKASH SHINDE AND OTHERS
VERSUS
BHAUSAHEB SURYABHAN GORE AND OTHERS**

...
Advocate for Applicants : Mr. Mayure Pramod C.
Advocate for Respondent No.3 : Mr. Deshmukh Mohit R.

...
CORAM : SANDIPKUMAR C. MORE, J.

DATE : 22.02.2023

PER COURT :

Heard rival submissions. The applicants are seeking recalling order dated 06.03.2020 whereby their appeal was dismissed for want of taking steps against respondent Nos. 1 and 2. It appears that now the respondent No. 1 is served through paper publication and respondent No. 2 by private mode, but they remained absent. As such, the conditional order dated 06.03.2020 stands recalled. Appeal be restored to its original stage and applicants/appellants are permitted to serve respondent Nos. 1 and 2 by private mode.

2. The applicants -appellants shall not claim any interest for the period from dismissal of the appeal till its restoration.

**(SANDIPKUMAR C. MORE)
JUDGE**

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shp/-