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

**48 CIVIL APPLICATION NO. 10964 OF 2023
IN RC/610/2020 IN SA/751/2012**

**DR KANHAIYASINGH GOVINDSINGH TEHARA
VERSUS
KAILASH KISHAN KADAM AND OTHERS**

**WITH SECOND APPEAL NO.751 OF 2012
WITH CA/3347/2009 IN SA/751/2012**

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Advocate for Appellant : Ms. Manisha Dalave
h/f. Talekar and Associates
Advocate for Respondent Nos. 1 and 2 : Mr. Krishna P. Rodge
h/f. Ms. Geeta Deshpande

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CORAM : KISHORE C. SANT, J.

DATE : 17.10.2023

PER COURT :

1. This application is filed seeking restoration of Civil Application No. (Stamp) No.7507/2019 in Second Appeal No. 751/2003. The prayer is opposed by the learned Advocate for the respondents. The Civil Application is filed for bringing legal representatives of the appellant on record. Though there are objections, it were not removed by the learned counsel for the applicant and therefore the instant stay by order dated 31.07.2019, is refused.

2. For the reasons recorded, the Civil Application is allowed.

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3. Civil Application (Stamp) No.7507/2019 in Second Appeal No. 751/2012 stands restored. Delay in filing this application of 1447 days is also condoned.

4. The Civil Application No. 10964/2023 stands disposed off.

5. The applicant is at liberty to circulate Civil Application Stamp No. 7507/2019 after the objections are removed.

(KISHORE C. SANT)
JUDGE

shp/-