

Dusane

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

**INTERIM APPLICATION NO.10130 OF 2022
IN
SECOND APPEAL NO.596 OF 2019**

M/s Shri. Metal Industries & Anr. ...Applicants

Vs.

Maharashtra State Finance ...Respondents
Corporation, Pune & Ors.

Mr. Surel S. Shah for Applicants.

Mr. Shrishail Sakhare for Respondent No. 3.

**CORAM: MADHAV J. JAMDAR, J.
DATE: 6th FEBRUARY, 2023**

P.C.:

1. By the present Interim Application, order dated 3rd February 2020 passed by learned Registrar (Judicial-II) is challenged.

2. By the said order, conditional order was passed to take steps against unserved Respondent Nos. 1 and 4, failing which Second Appeal was directed to be dismissed against unserved Respondent Nos. 1 and 4.

3. For the reasons set out in the Interim Application, the same is allowed in terms of prayer clause (b).

- 4.** The Applicants to serve unserved Respondent Nos. 1 and 4 before the next date i.e. 13th March 2023 and file Affidavit of Service.
- 5.** The Interim Application is disposed of in above terms with no order as to costs.

(MADHAV J. JAMDAR, J.)