

Harish

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 119 OF 2022
IN
CIVIL APPLICATION NO. 897 OF 2010
IN
SECOND APPEAL NO. 757 OF 2017**

Shri. Balu Baban Bhadale & Anr. ...Applicants

V/s.

Dattoba Shankar Bhadale

(deceased) through L.Rs.

Smt. Chabubai Dattoba Bhadale & Ors. ...Respondents

Mr. Y. G. Thorat i/b A. B. Tajane, for the Applicants.

Mr. Onkar V. Warange, for Respondent Nos. 2, 1A, 1B, 4& 5.

CORAM : MADHAV J. JAMDAR, J.

DATE : 06th FEBRUARY, 2023

P.C.:

1. This Civil Revision Application is taken out seeking recall of order dated 19th November, 2010 passed by this Court. By said order dated 19th November, 2010, four weeks time was granted as a last chance failing which, the Appeal was directed to be dismissed for non-prosecution against the unserved Respondents without reference to the Court.

Accordingly the Appeal was dismissed against Respondent Nos. 3, 4, 6, 9 and 10.

2. For the reasons set out in the Civil Application, the same is allowed in terms of prayer clauses (a), (b) and (c).

3. The Civil Application is disposed of in above terms with no order as to costs.

(MADHAV J. JAMDAR, J.)