

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

...
MISC.CIVIL APPLICATION NO.900/2019
IN
SECOND APPEAL NO. 30/2009

Sitabai Bhonduji Raghute
(Dead) Th. L:R: Smt. Jayawanta Itankar ..Applicant

versus

Keshao Pandurang Raghute & others ..Respondent/s

.....
Mr. P.A. Markandeywar, Adv. for the applicant /s

Mr.U.A.Gosavi,Adv.for Respondent No.1

Respondent No.2 deleted. None for Res.Nos.3(a), 3(b) and 3 (c)

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CORAM: ANIL L. PANSARE, J.

DATED : 17th July, 2023.

PC:

By the present application, the applicant is seeking to set aside the order dated 6th June, 2019 passed by this Court, dismissing the appeal for want of prosecution. The applicant is also seeking to restore the appeal to its original position.

The learned counsel for the non-applicant/Respondent No.1 submits that he has not received the copy of the application, but has no objection if the appeal is restored. The respondent Nos. 3(a),(b) and (c) though served, none appears on their behalf.

In view of the above and since there is no opposition from respondents 3(a),(b),(c) and since the respondent no.1 has no objection to restore the appeal and considering the reasons set out in the application, the MCA is allowed as prayed for. Second Appeal is restored to its original position. The Registry to process the appeal as per Rules.

[ANIL L. PANSARE, J.]

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