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

**CIVIL APPLICATION NO.102 OF 2020
IN
FIRST APPEAL NO.1268 OF 2013**

Dattatray Trimbak Tandel Thr. LRS
1. Sumati Dattatray Tandel & Ors. .. Applicants
Vs.
The Special Land Acquisition Officer .. Respondents

...
Mr. Sandesh Patil for Appellants/Applicants.
Mr. Sanjay K. Gunjkar i/by Mr. Niranjana Shimpi for Respondent No.2-UOI.
...

**CORAM : A.S. CHANDURKAR &
JITENDRA JAIN, JJ**
DATE : 23rd JANUARY, 2024.

PC. :

1. By this application, the applicants pray that the order dated 05/10/2017 passed by the learned In-charge Registrar (Judicial-II) holding the appeal to have abated against Respondent No.3 be recalled and the applicants be permitted to take further steps in accordance with the provisions of Order 22 Rule 4 A of the Code of Civil Procedure.
2. Considering the fact that as per the Balief Report dated 07/03/2017 the Respondent No.3 was reported to be dead which fact was not within the knowledge of the appellants, the order dated 05/10/2017 is recalled and the appellants are permitted to take further steps in accordance with the provisions of Order 22 Rule 4 A of the Code of Civil

Procedure, 1908. Accordingly, the order of abatement of the appeal against Respondent No.3 is recalled. The appellants to take further steps in accordance with the provisions of Order 22 Rule 4 A of the Code.

3. Stand over four weeks.

[JITENDRA JAIN, J]

[A.S. CHANDURKAR, J.]