

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.9780 OF 2024
WITH
INTERIM APPLICATION NO.9781 OF 2024
IN
FIRST APPEAL NO.1024 OF 2006

Late Bhimrao Chilu Mulik
(Since deceased through His Legal Heirs)
Sayaji Bhimrao Mulik and Ors. ...Applicants

In the matter between:-

Late Bhimrao Chilu Mulik
(Since deceased through His Legal Heirs)
Sayaji Bhimrao Mulik and Ors. ...Appellants

V/s.

Shri.Raghunath Appa Mulik
(Since deceased through Heirs and LR's)
Smt.Hansabai wd/o Raghunath Mulik
and Ors. ...Respondents

Mr.Vikas Nana Tambavekar:-	Advocate for Applicants/Appellants.
Mr.Om Latpate a/w Mr.Nishi Singhvi i/b.Mr.Kuldeep Nikam:-	Advocates for Respondent No.1 (c).

CORAM : S. M. MODAK, J.

DATE : 14th NOVEMBER 2024

P. C. :-

1. This Court has dismissed the Appeal on 18th January 2024 for

non prosecution. The Appellant has applied for restoration. Learned Advocate Shri.Nikam is having instructions to appear on behalf of Respondent No.1 (c) – Sanjay Mulik. Already Vakalatnama was filed in the Appeal. Office noting says that Respondent Nos.1 da–Anita Mulik, 1db–Pankaj Mulik and 1dc–Yogesh Mulik could not be served for want of time. Let, notice be issued to them returnable on 12th December 2024.

2. Even though, it is true that in the Application, their address is mentioned are at Mumbai, notice be issued on their address mentioned in the Appeal memo at Wategaon, Sangli. It is for the reason that private notice issued to them on Mumbai address returned back as contended on behalf of the Applicant.

3. The Respondent Nos.1a, 1b and 1e are served but they have not appeared.

[S. M. MODAK, J.]