



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

Misc. Civil Application No. 77 of 2024
in

First Appeal No. 1161 of 2009 (D)

[Smt. Mangala Wd/o Arun Kulkarni and ors. ..vs.. Atul Dhruvkumar Kulkarni and anr.]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms. D. V. Sapkal, Advocate for the applicants
Mr. D. N. Kukday, Advocate for non-applicant no. 2

CORAM : ANIL L. PANSARE J.

DATED : 10-04-2024

By present application, the applicants/
appellants are seeking to restore First Appeal No.
1161/2009 with its original status by setting aside order
dated 13-7-2023 passed by this Court.

2. The order dated 13-7-2023 reads thus :

“None for the appellants.

*Matter was kept for dismissal vide order dated
13/06/2023. Today also, none for the appellants.
Hence, matter is dismissed in default.”*

Thus, despite giving an opportunity, none appeared
for the appellants.

3. Learned counsel for the appellants submits that
she will diligently attend the appeal, if it is restored on
the file. I am informed that the connected appeal being
First Appeal No. 1145/2008 is pending before the Court.
In view thereof and for the reasons set out in the
application, the application is allowed subject to costs
of Rs. 500/- to be deposited with the High Court Bar
Association, Nagpur.

4. Order dated 13-7-2023 is set aside. First Appeal No. 1161/2009 is restored on file to its original status meaning thereby, the interim order passed in said appeal stands restored.

First Appeal No. 1161/2009

5. List the appeal for final hearing on 24-4-2024.

(Anil L. Pansare, J.)

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