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28-CA-6245-2025

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**28 CIVIL APPLICATION NO. 6245 OF 2025
IN FA/2612/2010**

Vishwambhar Bhaurao Kadam (died) And Anr.

VERSUS

Sidhraj Sidram Reddy And Anr.

WITH

**CIVIL APPLICATION NO. 6246 OF 2025
IN FA/2612/2010**

...

Mr. N. D. Kendre And Mr. P G Mahalankar, Advocate for Applicant.

CORAM : KISHORE C. SANT, J.

DATE : 24th SEPTEMBER 2025.

PC :-

1. Heard the parties.
2. Civil Application No.6245/2025 is filed for setting aside order dated 27th September 2011 passed by the learned Registrar (Judicial) of this Court in First Appeal No.2612/2010.
3. Mr. Kendre, the learned Advocate for applicant submits that no such order is uploaded and is available on the official website. This Court has seen the appeal. In the appeal, the first order is dated 23rd

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November 2010, whereby the the delay of 10 days was condoned. By order dated 10th March 2011, the appeal is admitted by the order of this Court.

4. Only office note shows that the matter was dismissed against respondent No.1 as per order passed by the learned Registrar (Judicial) dated 27th September 2011. However, the said order is not seen. Once the appeal was admitted on 10th March 2011, there was no question of dismissal of the appeal by the order of the learned Registrar (Judicial). The cause title in the appeal memo also shows that the appeal was dismissed as against respondent No.1 vide Registrar's order dated 27th September 2011. It is seen that there is no actual order of dismissal passed by the learned Registrar (Judicial). The endorsement is however made.

5. The office is, therefore, directed to remove the endorsement showing "the appeal is dismissed as per Registrar Court order dated 27th September 2011".

6. The appeal is already admitted. The appellant is at liberty to

mention the matter for fixing early date of hearing.

7. In view of above discussion, Civil Application No.6245/2025 does not survive and same is disposed off.

8. The learned Advocate for the respondent has joined the Bench of this Court. Office to issue fresh notice to the Respondent No.2.

9. So far as Respondent No.1 is concerned, till now no notice is served. Civil Application No.6246/2025 is, therefore, filed seeking permission to serve respondent No.1 by way of paper publication.

10. For the reasons stated in the application, application is allowed. Notice to respondent No.1 be served through paper publication in daily newspaper "Punya Nagri" widely circulated in Osmanabad district.

11. Notice returnable on 19th November 2025.

12. Notice be published at least two weeks prior to the returnable date.

13. Civil Application stands disposed off.

[KISHORE C. SANT, J.]