

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL APPLICATION NO. 154 OF 2015****IN****SECOND APPEAL NO. 513 OF 2013**

Shri Babu Changya Patil & Ors. ... Applicants / Appellants

Versus

Smt. Bhagibai Phulaji Mhaskar and Ors. ... Respondents

Mr. Prasad Kulkarni for the Applicants / Appellants.

Mr. Mandar Limaye for Respondent Nos. 1 to 7.

Mr. Sumit Kale i/b. Mr. Uday Warunjikar for Respondent Nos. 12/1 to 12/3.

None for Respondent No. 19.

CORAM : S.J. KATHAWALLA, J.

DATED : 1ST JULY, 2017

P.C.:

1. The learned Advocate appearing for the Applicants / Appellants on instructions states that the above Civil Application has been served on the heirs of Respondent No. 19. He undertakes to file the Affidavit proving service on the heirs of Respondent No. 19 within a period of two weeks from today. The undertaking is accepted.

2. None appear for Respondent No. 19. In view thereof, a copy of this order along with a copy of the above Second Appeal shall be served by the Advocate for the Applicants / Appellants on the heirs of Respondent No. 19, by Registered Post / Speed Post A.D. and / or by hand delivery and an Affidavit proving service shall be filed on or before the adjourned date. It is clarified that if the heirs of Respondent No.

19 fail to appear before this Court on 14th July, 2017 at 11.00 a.m. the Court shall proceed to hear the Advocate for the Applicants / Appellants and pass appropriate orders in the above Civil Application.

3. Stand over to 14th July, 2017.

(S.J.KATHAWALLA, J.)