

Tikam

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

CIVIL APPLICATION No. 87 OF 2019  
IN  
APPEAL FROM ORDER No. 46 OF 2019

Pankaj Dilip Rahane and Anr.	...Applicants
Vs.	
Dilip Prabhakar Joshi and Ors.	...Respondents
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Ms. Ketki Gadkari for Applicants	-----

**CORAM : SHRI K.K. TATED, J.**

**DATE : APRIL 24, 2019**

**P.C.:**

1. Not on Board. At the request of learned counsel for the Applicants, matter is taken on board.
2. Heard learned counsel Ms. Ketki Gadkari for Applicants.
3. Today, the matter is shown on the board for speaking to the minutes of the order dated 18<sup>th</sup> March, 2019.
  - (a) In paragraph 2, line No.2, instead of Respondent Nos. 3 and 4, it should be Respondent Nos.1 to 3.
  - (b) In paragraph 2, line No.4, instead of Respondent Nos.1 and 2, it should be respondent No.4.
  - (c) In paragraph 2, in last line, instead of respondent Nos.1 and 2, it should be Respondent No.4.
5. Corrections to be carried out in original order.
6. Rest of the order shall remain as it is.

7. Corrected order reads thus:

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**CIVIL Application No.87/2019**

**IN**

**Appeal from Order No. 46/2019**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms. Ketaki Gadkari for the Applicant.

**CORAM : K. K. TATED, J**

**DATE : 18/03/2019**

**P.C.:**

1. Heard. This Application is for condonation of 69 days delay in preferring the appeal.
2. The learned counsel for the Applicant submits that Respondent Nos.1 to 3 are duly served by hand delivery. Respondent No.4 refused to accept service. She undertakes to file an Affidavit of service to that effect on or before 12.04.2019. She submits that in view of the refusal, court notice be issued to Respondent No.4.
3. Considering the submissions made by the learned counsel for the Applicant, following order is passed:
  - a. Rule.  
Rule made returnable on 05.07.2019.

b. In addition to usual mode of service, Applicant is permitted to serve Respondents along with entire proceedings by private notice either by registered post A.D. and/or by hand delivery and file Affidavit of Service to that effect.

**[ K.K. TATED, J.]**

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